

Visalia City Council Agenda

For the regular meeting of: MONDAY, December 21, 2009

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

Mayor: Bob Link
Vice Mayor: Amy Shuklian
Council Member: Warren Gubler
Council Member: Mike Lane
Council Member: Steve Nelsen

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

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.



Public Comment on Work Session and Closed Session Items -

4:00 p.m.

1. Water Conservation Plant project update and authorization to proceed with upgrade design based on the Membrane Bio-Reactor (MBR) alternative, and authorization to proceed as necessary to secure financing through the State Revolving Fund program. **Receive public comment.**

5:00 p.m.

2. Authorization to hire Dyett & Bhatia planning consultants for preparation of a General Plan Update and Program Environmental Impact Report (EIR). **Receive public comment.**

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)

3. Conference with Labor Negotiators (G.C. Section 54957.6)
Agency designated representatives: Steve Salomon, Eric Frost
Employee Organization: All employee groups
4. Conference with Legal Counsel - Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: one potential case

5. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: one potential case
6. Conference with Real Property Negotiators (G.C. Section 54956.8)
Property: 300 E. Oak St.,
Under Negotiation: Potential acquisition
Negotiating Parties for City: Steve Salomon, Mike Olmos, Ricardo Noguera
Negotiating Parties for Landowner: Scott Ellis, Realtor
7. Conference with Real Property Negotiators (G.C. §54956.8)
Property: 1968 S. Lovers Lane
Lessor: Cal Fire
Lessee: City of Visalia
Under Negotiation: Price, terms and conditions of potential lease
Negotiating Parties: Steve Salomon, Mark Nelson

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Paul Gendron, Work Force Chaplaincy

SPECIAL PRESENTATIONS/RECOGNITION – Present Resolution of Commendation to Valley Voice recognizing its 30th Anniversary

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 street name and city.

8. **INFORMATION ITEMS** – (No action required)
 - a) Receive Planning Commission Action Agenda for the meeting of December 14, 2009.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

9. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.
 - a) Authorization to read ordinances by title only.
 - b) Authorization to bid the public improvements for the Island Annexation Sewer (Birdland) which is located West of Giddings Avenue, between Sunnyview Avenue and Wren Drive, without the requirement for the payment of prevailing wages pursuant to Resolution #83-02 (Project No. 4311-00000-720000-0-9783).
 - c) Second Reading and adoption of Ordinance No. 2009-06 for Change of Zone No. 2008-03 and Conditional Zoning Agreement 2009-01: A request to change the zoning designations from R-1-6 (Single-Family Residence) and R-M-3 (Multi-family Residential) to P-C-SO (Planned Shopping/Office Commercial) , P-PA (Planned Professional/ Administrative Office), and R-M-3 (Multi-family Residential) on 19.93 acres located on the southwest corner of Demaree Street and Houston Avenue. **Ordinance 2009-06 required.**
 - d) Second reading and adoption of Ordinance 2009-08 amending Visalia Municipal Code Sections 12.52.020, 8.40.020 and 8.40.030 to include camping in non-designated areas as a public nuisance; and adding Chapter 9.34 "Aggressive Solicitation" to the Visalia Municipal Code authorizing the Police Department to have enforcement guidelines for specific aggressive behaviors associated with solicitation in public. **Ordinance 2009-08 required**
 - e) Second reading and adoption of Ordinance 2009-10 for sale of City property located at the east side of McAuliff Street at Mill Creek Parkway/Race Street (Portion of APN 103-320-11) to California Water Service. *4/5th vote required. Ordinance 2009-10 required.*
 - f) Award contract to RCC Consultants to conduct a county-wide Consolidated Dispatch Implementation Study for the amount of \$79,250.
 - g) Award a construction contract and authorize the City Manager to execute an agreement for RFB No. 09-10-09 for the Mooney Blvd. Storm Drain Pipeline and Lift Station Upgrade Project (Project No. 3011-9939) in the amount of (\$320,428.76) to the low bidder, Mark Hoffman General Engineering, Inc.
 - h) Appointments to the following Committees and Commissions as recommended by the Citizens Advisory Committee, in accordance with Council approved City policy, for the Planning Commission, the Transit Advisory Committee, the Citizen's Advisory Committee, the Environmental Committee, and Waterways and Trails Committee
 - i) Approve Mayor's recommendations for City Council representatives to various boards/committees/task forces for 2009-11.
 - j) Award contract for the purchase of nine (9) new marked Police patrol vehicles to Surroz Motors Inc. in the amount of \$388,122.33.
 - k) Approve implementation of the State Model Water Efficient Landscape Ordinance beginning January 1, 2010 and develop a local ordinance in 2010.

Convene jointly as the Visalia Public Finance Authority (VPFA) and the Visalia City Council

10. VPFA CONSENT CALENDAR

- a. Annual status report for the Visalia Public Finance Authority (VPFA) and appointment of VPFA directors and officers.

Adjourn as the Visalia Public Finance Authority (VPFA) and the Visalia City Council and remain seated as the Visalia City Council.

11. Consideration of a second amendment to the Measure R Sales Tax Expenditure Plan.
Resolution 2009-62 required.

12. Review and approve Visalia Water Management Committee 2010 Annual Plan.

13. Approval of recommendations from the Mayor to improve citizen involvement in the local government process by generally moving the City Council meetings to the Convention Center beginning in January 2010, and increasing the time limit for public comment to a maximum of five minutes.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

- Monday, January 11, 2010, 4:00 p.m. Work Session; Special Meeting 7:00 p.m., Convention Center, 303 E. Acequia
- Tuesday, January 19, 2010, 4:00 p.m. Work Session; Regular Session 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, January 25, 2010, 6:00 p.m. Jt. Meeting with Kaweah Delta Health Care District, 400 W. Mineral King, Blue Room Conference Room

Note: Meeting dates/times are subject to change, check posted agenda for correct details.

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

Any written materials relating to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the Office of the City Clerk, 425 E. Oak Street, Visalia, CA 93291, during normal business hours.

Resolution of Commendation Valley Voice 30th Anniversary

Whereas, the first issue of the Valley Voice was printed on November 1, 1979. The Voice started by printing 18,000 copies each month and today it distributes 20,000 copies every week; and

Whereas, the Voice has created a niche for itself not only in Visalia but in all of Tulare County, and not only has it filled that niche, but expanded it and filled it by providing what people want to know; and

Whereas, the first issue included a philosophy that has guided the Voice for over 29 years, "Welcome to the first issue of Valley Voice – your voice and mine. We talk together in this paper;" and


Whereas, founding Publisher John Lindt's philosophy has always been to focus on important long-term issues and trends that have consequence for our communities. News doesn't come from the Internet, it comes from dedicated local reporters and editors who maintain a watch over the local scene – not out to grind any ax or sensationalize reports – but simply give the people the news; and


Whereas, the overall goal of the paper has been to be fair in all articles, and issue after issue, has done just that.

NOW, THEREFORE BE IT RESOLVED that I, Bob Link, Mayor of the City of Visalia, on behalf of the entire City Council, do hereby commend and recognize the Valley Voice on its 30th year Anniversary, and wish them all the best in all of their future pursuits.


Dated: December 21, 2009


Bob Link, Mayor


Amy Shuklian, Vice-Mayor


Michael Lane, Councilmember


E. Warren Gubler, Councilmember


Steven A. Nelsen, Councilmember

City of Visalia Agenda Item Transmittal

Meeting Date: December 21, 2009

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Water Conservation Plant (WCP) project update, authorization to proceed with upgrade design based on the Membrane Bio-Reactor (MBR) alternative, and authorization to proceed as necessary to secure financing through the State Revolving Fund program.

Deadline for Action: December 21, 2009

Submitting Department: Public Works

Contact Name and Phone Number: Andrew Benelli, Public Works Director, (559)-713-4340; Jim Ross, Public Works Manager, (559)-713-4466

Department Recommendation:

Staff recommends that Council take the following actions.

- Authorize Staff to proceed with design of the WCP upgrades and reuse facilities based on the MBR alternative and 100% reuse options.
- Authorize Staff to proceed as necessary to secure funding through the State Revolving Fund program.
- Authorize Staff to apply for grant funding and incentives as may be available for this project.
- Authorize Staff to pre-select major project components through a competitive bid process in order to facilitate a high degree of quality control early in the project and minimize design changes later in the project.
- Authorize Staff to pay off the existing WCP bond debt, without penalty, in 2011.

Summary/background:

The City of Visalia Water Conservation Plant operates under a discharge permit issued by the State Water Resources Control Board (SWRCB) and administered by the Regional Water Quality Control Board (RWQCB, or Regional Board) in Fresno.

Most water treatment plants in the Central Valley dispose of treated effluent by some combination of percolation and direct reuse through irrigation. These plants are generally issued Waste Discharge Requirements (WDRs), which are governed by the State. Visalia, in comparison, not only discharges to percolation ponds and to irrigation reuse, but also discharges approximately 70% of its treated effluent to Mill Creek, which is classified as a "Water of the United States." Because of this, the Visalia WCP is issued a discharge permit governed by the U.S. EPA known as an NPDES permit (National Pollution Discharge Elimination System). The requirements for this type of discharge permit are significantly more

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.): 60

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.

stringent than WDRs. In addition, because the permit is ultimately regulated by the federal government, the state agency that implements the permit has very little discretion.

In September 2006, the WCP was issued its current NPDES permit, which replaced the one in effect since 1995. The discharge permit is designed to protect ground water and surface waters around and downstream of the treatment plant, and more generally, basin-wide. From a regulatory standpoint, any water that contacts the ground has the potential to percolate to groundwater. If that water is contaminated, groundwater could be affected. Effluent limitations in the discharge permit reflect this philosophy.

A key discharge permit condition is the requirement to remove nitrogen compounds from the effluent to prevent contamination of groundwater. The process used to accomplish nitrogen removal is, technically, a simple modification of the activated sludge process currently used at the WCP. However, in reality, the removal of nitrogen compounds will require more than a doubling of the plant's secondary treatment process capacities. As such, the overwhelming majority of the project cost is associated with the "simple task" of nitrogen removal.

The discharge permit also includes a requirement to prepare a Master Plan (MP) for the WCP that, among other things, would outline the steps the plant would undertake to meet the new regulations. The MP, prepared by Carollo Engineers, outlined a plan to meet the permit requirements and also contained recommendations that would contribute to the long-term sustainability of the facility.

In general terms, the MP recommended project can be classified into three categories:

1. Required elements:

- Nitrogen removal
 - four additional aeration basins (four existing),
 - two additional blower units (four existing),
 - two additional secondary clarifiers (five existing),
- Upgrade to the solids handling facilities
 - two additional digesters (seven existing),
 - a new biosolids dewatering facility,
- Discontinue discharge to Mill Creek
 - 4-mile discharge pipeline to Basin 4
 - Additional percolation ponds

These modifications would bring the city into compliance with the discharge permit. Disposal of treated effluent would be through irrigation reuse in the vicinity of the WCP and through the use of percolation ponds. Irrigation use of this secondarily treated effluent would be restricted to fiber and fodder crops.

2. Renewable Energy:

- Initially, 600 – 900 kW of fuel cells would be installed, with additional units being installed as the supply of methane gas increases. A total of 1.5 MW of fuel cells are envisioned by the year 2025.
- A one megawatt photovoltaic array was proposed to offset electrical use at the WCP. Such an array would cover approximately 8 acres and would significantly reduce the WCP's energy demand from the electrical grid.

Installation of these power generating facilities would greatly reduce the WCP's power purchase costs and, over time, would pay for themselves.

3. Water re-use projects:

- The MP also identified the possibility of a water reuse project to offset potable groundwater use in the vicinity of the WCP, specifically, at Plaza Park, Valley Oak Golf Course, the Visalia airport, and along highways 198 and 99. This project would produce up to 5.0 MGD of tertiary effluent and could be undertaken at any time, or not at all.
- The MP also identified the potential for treated effluent to be pumped and utilized up gradient of the City (northeast), slowing or even reversing overdraft of the City's groundwater supply. The cost to implement such a program, however, was estimated to be upwards of \$200 million and could not be implemented within a timeframe acceptable to the RWQCB to meet permit requirements.
- Tertiary treatment required for any reuse option other than for irrigation of fiber and fodder crops.

Faced with a large upgrade fee project, Staff proposed a multi-year sewer fee increase that would increase the monthly residential fee incrementally from \$16.80 in 2008 to \$26.40 in July 2012. Notice of the proposed increase was sent to approximately 40,000 property owners throughout Visalia. Two Public Hearings were held on the proposed fee increase. Eight letters of protest were received and fewer than ten people spoke at the hearings in opposition. The City Council adopted the fee structure as recommended.

The tables below compare Visalia's sewer fee with various other cities from throughout the Valley. Table 1 shows current data as of December 2009. Table 2 reflects currently approved rates that will be in effect in July 2012. Note: Table 2 cities not in **bold** have no scheduled fee increases at this time, but may adopt increases subsequent to this analysis that will modify the table data.

Table 1	
Single Family Residence Monthly Sewer Fee December 2009	
Goshen	\$ 39.05
Lindsay	\$ 36.86
Tulare	\$ 34.00
Woodlake	\$ 33.00
Reedley	\$ 28.16
Lemoore	\$ 27.70
Porterville	\$ 26.87
Fresno	\$ 25.04
Farmersville	\$ 23.75
SKF	\$ 23.28
Dinuba	\$ 21.01
Hanford	\$ 19.25
Visalia	\$ 18.80
Exeter	\$ 18.00
Bakersfield	\$ 16.25
Average \$ 26.07	

Table 2	
Single Family Residence Monthly Sewer Fee MAX approved through 2012	
Woodlake	\$ 57.00
Tulare	\$ 42.00
Goshen	\$ 41.39
Lindsay	\$ 36.86
Reedley	\$ 28.16
Lemoore	\$ 27.70
Porterville	\$ 26.87
Visalia	\$ 26.40
Fresno	\$ 25.04
Farmersville	\$ 23.75
SKF	\$ 23.28
Hanford	\$ 22.90
Dinuba	\$ 21.01
Exeter	\$ 20.00
Bakersfield	\$ 16.25
Average \$29.24	
bold = at least one approved increase 2010 through 2012	

Groundwater and reuse

Parallel to the development of the Master Plan, the City contracted with Fugro West to model the groundwater aquifer beneath the City of Visalia. It was not until both efforts were nearing completion that their inter-relatedness became apparent.

In short, the groundwater model showed that the current groundwater overdraft within Visalia to be approximately 2,500 acre feet per year, representing an historic decline of approximately two feet each year for the past twenty years. It was at this point that eyes began to look to the WCP as a potential asset in the City’s groundwater effort.

The WCP currently discharges 14,000 acre feet of treated secondary effluent each year. This effluent is suitable for use on fiber and fodder crops, including cotton, alfalfa, feed corn, etc. Approximately 70% of WCP effluent is discharged to Mill Creek where it flows westward and is utilized by adjacent landowners for agricultural irrigation. The remaining 30% is utilized for irrigation of 250 acres of City-owned land at the northwest corner of Highway and Ave 280 or is placed in percolation/evaporation ponds. While these activities do reduce regional pumping of groundwater, they have almost no beneficial impact on the City of Visalia.

In a very real sense, the WCP operational strategy has been one of treat and dispose. Given the current water situation in the Region and throughout the State, this type of strategy is not sustainable.

In recognition of this, the City hired Provost and Pritchard (P&P) to identify the highest use of the effluent with the greatest benefit to the City. Their recommendation includes:

- Upgrade the WCP to full disinfected tertiary treatment to allow unrestricted reuse now and in the future.
- Irrigation of Plaza Park and Valley Oaks golf course.

- Execute a water exchange agreement with Tulare Irrigation District

The water exchange agreement is a key component of the WCP upgrade project. Tertiary treated effluent from the WCP would be discharged into one of the district's irrigation channels. In exchange, the City would receive a proportional allotment of water upstream of the City to utilize for groundwater recharge.

On September 8, 2009, Council gave conceptual approval to the above recommendations and authorized City staff to begin negotiations on the necessary agreements. Staff was also directed to return to Council to present project design recommendations and cost estimates once the preliminary investigations and pre-design work had been completed. The project is now at that point.

Reuse project

After a formal selection process, Parsons was chosen to design the reuse project. Headquartered in Pasadena, CA., Parsons is a large, multi-disciplined engineering firm with offices throughout the world. They have designed numerous recycled water plants throughout the world and concur with the recommendations made by Provost & Pritchard.

As the Visalia WCP transitions from a disposal plant to a reclamation facility, it is necessary to upgrade the treatment capability of the plant to produce the quality of water desired by potential users, and required by regulatory agencies. The current design approach is for 100% reuse of tertiary water for various purposes instead of the limited reuse options as recommended in the Master Plan. This will be a new era for the WCP as it becomes part of the solution to the water resource needs of the community.

There are two methods of providing the required treatment.

Alternative 1: Conventional Activated Sludge and Tertiary Filtration processes

This alternative expands the current WCP to produce reuse quality water. Essentially, this is the "build more" alternative. As such, many large new structures would be constructed, including four additional aeration basins, three additional clarifiers, new tertiary filtration facilities and additional chlorine basins.

The required modifications to the treatment processes include

- All four trickling filters would be eliminated.
- The number of aeration basins will double (from four to eight).
- Aeration basins would be modified to provide for nitrogen removal.
- Three additional secondary clarifiers (from five to eight).
- The depth of the new clarifiers will be increased from an average of 9.5 feet to 14 feet to reflect current trends in the design of clarifiers.
- Four additional chlorine basins would be required.
- Construction of nine tertiary filtration units to comply with California Department of Health Services standards for unrestricted reuse of wastewater effluent.

Alternative 2: Membrane Biological Reactor (MBR)

The MBR membrane takes the place of the secondary clarifiers and tertiary filters of the conventional treatment plant. By removing the secondary clarifiers from the treatment process, problems involving the settling characteristics of the solids are eliminated. This allows the concentration of mixed liquor (liquid) in the aeration basins to be increased in

concentration by as much as three times usual levels. This, in turn, reduces the required tankage volume to less than one-half that of the conventional treatment process.

The required modifications to convert to a MBR facility include

- All four trickling filters would be eliminated.
- Existing aerations would be modified to provide for nitrogen removal.
- A new membrane tank would be constructed following the aeration basins.
- Ultra-fine screens are installed ahead of the MBR system to protect the membranes.
- Secondary clarifiers would be converted to chlorine basins.
- Two additional chlorine basins to provide required detention time.

When comparing the water produced by MBRs and that produced by conventional tertiary filtration, the MBR offers several advantages. For example, because MBRs provide a barrier through which bacteria and viruses cannot pass, disinfection is significantly more effective. In fact, where ultraviolet (UV) is used, disinfection costs for MBR effluent is less than half the disinfection cost for conventional tertiary effluent. Furthermore, while conventional tertiary effluent contains fine particles that tend to cause problems with sprinkler systems, MBR effluent is ideally suited for use in sprinkler and drip irrigation systems due to the absence of such particles. This is immediately important to users at the golf course and Plaza Park, and may become increasingly more important to agricultural users as they look to more efficient methods of irrigating their crops. MBRs produce a crystal clear effluent that far exceeds the requirements for unrestricted reuse and provides a publicly acceptable commodity that can be a valuable asset to the City.

It is being recommended that the City proceed with design of the WCP upgrades and reuse facilities based on the MBR alternative. Additional advantages include

- 100% effluent reuse
- Ease of operation
- Reliability and automation of process
- Reduced operation and maintenance requirements compared to conventional
- The water quality from the MBR will far exceed required standards, providing exceptional quality water to the customers of the reuse system.
- Minimize construction of new structures.
- Easily expandable and scalable.
- Costs on par with conventional treatment alternative.
- Can be readily phased by staging the purchase and installation of membrane components to match the demand created by increased wastewater flows.

Financial Analysis

In considering this project, Finance asked a fundamental question:

Will there be sufficient revenues to fund the project without revising the approved rate structure?

The City's Finance department analyzed the Wastewater Fund to determine how a project of this scope would impact its long term financial stability. Key to this analysis is the City's ability to tap into the State low interest funding opportunities.

The State Revolving Fund (SRF) program makes monies available for various water and wastewater projects throughout the state. High on their list of funding priorities are water

recycling and reuse projects. The City has already been assigned a SRF program manager and has begun the process of securing funding, which offers the following benefits to the City:

- Interest at ½ of the bond rate (current SRF rate is 2.5%)
- Delayed payments until one year following project completion
- Typical Bond fee is 2-3% of the issue amount; the SRF has an administrative fee of ½%

In evaluating the fund's expected financial performance, several points are important to remember:

1. The City does not have the ability to self finance the required treatment plant improvements.
2. The Wastewater Enterprise Fund has an outstanding debt (\$6.5 million @ 4.5% interest) which will mature in 2017 and may be paid off early (without penalty) in 2011.
3. The best financing alternative for the City is the State Revolving Fund. Their current interest rate is 2.5%.
4. Finance is recommending that the City pay off the existing bond debt in 2011 in order to increase the fund's capacity to borrow SRF funds at the lower rate 2.5%.
5. The SRF will want some type of debt covenant similar to the bond covenant on the now outstanding debt. This debt covenant requires that cash available for debt service after necessary operating expenses equal 125% of the debt service.
6. A large industrial user is projected to double their capacity soon. Their additional revenue is included in the analysis.
7. The City has an approved rate increases that will continue until 2013. No rate increases are included after that date.
8. The project is assumed to be \$100 million. \$10 million will come from cash resources. The SRF loan will be \$90 million.

Based on the above facts and recommendations, Finance developed the cash flow pro forma presented in Table 3, Debt Coverage for a \$90 million SRF Loan, below. The revenue projection is a conservative estimate in that it assumes a 1.0% annual growth.

Table 3

DEBT COVERAGE PROJECTIONS FOR A \$90 MILLION SRF LOAN WITH PAYOFF OF EXISTING 6.5M DEBT AND 1% GROWTH RATE											
(In Thousands)											
		<u>FY 09/10</u>	<u>FY 10/11</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>FY 13/14</u>	<u>FY 14/15</u>	<u>FY 15/16</u>	<u>FY 16/17</u>	<u>FY 17/18</u>	<u>FY 18/19</u>
Coverage Revenues											
	Fees	\$ 12,384	\$ 14,116	\$ 15,832	\$ 17,774	\$ 17,945	\$ 18,117	\$ 18,291	\$ 18,467	\$ 18,645	\$ 18,824
	Interest Earnings	3.0%	383	270	225	347	384	559	543	492	455
			<u>12,767</u>	<u>14,386</u>	<u>16,058</u>	<u>18,122</u>	<u>18,329</u>	<u>18,676</u>	<u>18,997</u>	<u>19,137</u>	<u>19,278</u>
Coverage Expenses											
	Salary & Benefits	2.5%	2,604	2,669	2,736	2,804	2,874	2,946	3,020	3,095	3,173
	Materials & Services	5.0%	5,373	5,912	6,313	6,879	7,223	7,584	7,963	8,362	8,780
			<u>7,977</u>	<u>8,581</u>	<u>9,049</u>	<u>9,683</u>	<u>10,097</u>	<u>10,530</u>	<u>10,983</u>	<u>11,457</u>	<u>11,952</u>
Coverage Net Income											
			<u>4,791</u>	<u>5,805</u>	<u>7,009</u>	<u>8,438</u>	<u>8,232</u>	<u>8,146</u>	<u>7,852</u>	<u>7,541</u>	<u>6,808</u>
Debt Service											
	Existing		863	859	859	4,455	0	0	0	0	0
	New		0	0	0	0	5,700	5,700	5,700	5,700	5,700
			<u>863</u>	<u>859</u>	<u>859</u>	<u>4,455</u>	<u>0</u>	<u>5,700</u>	<u>5,700</u>	<u>5,700</u>	<u>5,700</u>
	Coverage Ratio						143%	138%	132%	126%	119%

Given the assumptions above the pro forma shows the rates are sufficient to meet the debt coverage requirements of a \$90 million SRF loan until FY 18/19.

Preliminary Cost Elements

The preliminary cost estimate for the various project components is presented in Table 5 below.

Table 5 CITY OF VISALIA WATER CONSERVATION PLANT UPGRADES PRELIMINARY CONSTRUCTION COST ESTIMATE		
	Alternative 1 Conventional	Alternative 2 MBR
WCP upgrades	71.6	75.2
Secondary/tertiary/disinfection facilities	45.0	48.6
Intermediate pump station	1.8	1.8
Septage receiving facility	0.2	0.2
Anaerobic digesters	8.5	8.5
Dewatering building	6.3	6.3
Drying bed modifications	2.0	2.0
Odor control facilities	1.2	1.2
Fuel cells	6.6	6.6
Effluent Reuse Facilities	14.4	14.4
Evans Ditch pipeline to Tulare Irrigation District	6.9	6.9
Mill Creek bypass to Basin No. 4	1.0	1.0
Reclaimed water pipelines to north and east of WCP	6.5	6.5
SUBTOTAL for WCP upgrades and Reuse facilities	86.0	89.6
Project contingency @10%	8.6	9.0
GRAND TOTAL FOR PROJECT	94.6	98.6

It should be noted that portions of this project may be eligible for funding from alternative sources. For example, various programs exist through the utility companies that offer incentive grants to offset costs associated with the selection of energy efficient designs and/or equipment.

Various incentives are also offered for production of electricity utilizing renewable energy resources such as methane gas and solar power. Grant funding may be available for the project's water recycling components. Every effort will be made to take full advantage of such programs.

In addition, this project has the potential to offer ongoing, long term cost savings.

- To the extent that recharge water is made available to the City through the TID exchange, the City can reduce or eliminate expenditures for the purchase of recharge water, which in the current year may be up to \$100,000.
- Reduced groundwater pumping costs at the golf course and Plaza Park.
- Reduction in electricity purchases by optimizing generation and use of renewable fuels.
- Cal Water pumping cost reductions will be passed on to residents.

To ensure that project costs are in line with funding realities, the construction bidding process will be conducted so as to maintain flexibility in the project. Those elements of the project that can be phased in over time will be segregated from the required elements and listed as optional components. For example, fuel cells can be added at any point in the process or eliminated altogether without impacting the main objectives of the project. Once actual bids have been received, Council would then have the opportunity to determine the scope of the project based on the City's priorities and available funds.

During the design process, the City will "pre-select" several of the more critical pieces of equipment, including the aeration blowers, aeration diffusers, membranes, dewatering equipment, and renewable energy equipment. This process will facilitate a high degree of quality control early in the project and will minimize design changes later in the project because the project will be designed based on the Manufacturer's specifications for the equipment selected. This process will be competitively bid and will establish a firm price for use during construction bidding.

Recommendations

Staff recommends that Council take the following actions.

- Authorize Staff to proceed with design of the WCP upgrades and reuse facilities based on the MBR alternative and 100% reuse options.
- Authorize Staff to proceed as necessary to secure funding through the State Revolving Fund program.
- Authorize Staff to apply for grant funding and incentives as may be available for this project.
- Authorize Staff to pre-select major components through a competitive bid process in order to facilitate a high degree of quality control early in the project and minimize design changes later in the project.
- Authorize Staff to pay off the existing bond debt, without penalty, in 2011.

Prior Council/Board Actions:

- May 19, 2008: Approval of Master Plan
- March 16, 2009: Authorized effluent reuse study
- April 20, 2009: Approval of multi-year sewer rate increase
- May 18, 2009: Award of Design to Parsons
- September 8, 2009: Conceptual approval of reuse recommendations
- November 16, 2009 Authorization to hire Legal Council to negotiate water agreement

Committee/Commission Review and Actions:

Alternatives:

Attachments:

Recommended Motion (and Alternative Motions if expected):

I move to accept Staff's recommendation to authorize Parsons to proceed with design of the Water Conservation Plant upgrades and reuse facilities based on the MBR alternative and 100% reuse options.

I further move to authorize Staff to proceed as necessary to secure funding through the State Revolving Fund and to apply for grants and incentives as may be available for this project.

I further move to Authorize Staff to pre-select major components of the project through a competitive bid process.

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)*

Environmental Assessment Status

CEQA Review:

The environmental work will begin immediately and is expected to take 9-12 months.

NEPA Review:

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: December 21, 2009

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Authorization to hire Dyett & Bhatia planning consultants for preparation of a General Plan Update and Program Environmental Impact Report (EIR).

Deadline for Action: The negotiated contract terms are generally valid for 60 days from the date the terms have been set (December 4, 2009). The consultant's original bid submittal is dated July 31, 2009. Staff requests action on this item now to minimize time and momentum losses for this ambitious undertaking.

Submitting Department: Community Development

Contact Name and Phone Number:

Brandon Smith, AICP, Senior Planner, 713-4636
Paul Scheibel, AICP, Planning Services Manager, 713-4369

Recommendation: Staff recommends that the City Council authorize staff to execute a contract with Dyett & Bhatia in an amount not to exceed \$1,129,205 for preparation of a General Plan Update and Program Environmental Impact Report (EIR), as outlined in the Scope of Work (attached as Exhibit "A"). Staff has negotiated with Dyett & Bhatia on the contract amount and Scope of Work and is confident that the budget incorporates maximum cost savings to the City and level of professional support befitting the ambitious scope of this project and the City of Visalia.

Staff also recommends that the City Council authorize staff to negotiate a separate contract for a detailed Mooney Blvd. Corridor Study. Other optional tasks to Dyett & Bhatia's Scope of Work are not recommended for funding at this time.

This project has a Council approved allocation of \$962,500 from the 2008/09 and 2009/10 fiscal year budgets (Account #0011-8078 and #1211-9031).

Summary: Dyett & Bhatia emerged as the top-rated candidate as a result of a two-step screening process that began in August 2009. The City Council authorized staff to begin contract negotiations, which have yielded an \$81,000 reduction to the consultant's original bid and improved the scope of work in several areas. During the negotiations an added optional task (Mooney Blvd. Corridor Study) was prepared as a focused multi-disciplinary study that could track ahead of the overall General Plan Update process. The overall project will involve extensive community stakeholders' outreach and ongoing public interface over the course of the estimated 36 to 48 month process. The 22-member General Plan Update Review Committee

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 45

Review:

Dept. Head mo 12-18
(Initials & date required)

Finance ef 12-18
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.

(GPURC) will maintain active citizen and stakeholder oversight of the process until the new General Plan, Program EIR, and special studies are finally approved by the City Council.

General Plan Update Background: Focus on the General Plan Update project came about in 2008 when the City Council and City staff brought attention to the age of the City's Program EIR and the Land Use Element, and their limitations in addressing current and emergent issues, including "Smart Growth" and infill development. Timing of the Update is also important as the City approaches 129,000 Urban Development Boundary (UDB) thresholds, increasing the need to plan into the next development boundary. Also, newly-mandated state legislation regarding air quality, climate change, greenhouse gases, and flood hazard information will require major amendments to many of the General Plan elements in order to remain in state compliance. The existing content of the General Plan Program EIR – the state-required environmental assessment of the General Plan's buildout conditions, adopted in 1991 – is in critical need of an update in order to address new thresholds of significance that have evolved with development occurring in the last 20 years. Additionally, it lacks discussion of greenhouse gas reductions required pursuant to Assembly Bill 32, and San Joaquin Valley Blueprint recommendations.

On March 2, 2009, the City Council authorized moving forward on a comprehensive approach of the General Plan Update, and hiring a consultant knowledgeable in public participation practices and emergent planning law. The comprehensive approach updates all State-required elements (except the Housing Element proceeding on a separate track) and the City's optional elements for Parks & Recreation, Historic Preservation, and Scenic Highways.

On June 1, 2009, the City Council authorized the distribution of a Request for Proposal (RFP) to prospective consultants. The RFPs were subsequently distributed and the City received twelve (12) proposals for comprehensive General Plan Updates. When Dyett & Bhatia emerged as the top-rated candidate, the City Council, on October 5, 2009, authorized staff to enter into contract negotiations with Dyett & Bhatia.

Discussion of Scope of Work: Staff has corresponded and met in person with project manager Leslie Gould and her team to discuss the proposal and resolve concerns regarding the scope and budget. In response consultants Dyett & Bhatia have revised their scope and budget (see Exhibits "A" & "B") to address staff's comments. The proposed budget yields an \$81,000 cost reduction of from the original bid submitted with the proposal. Staff had originally anticipated that the overall project cost would range between \$1.0 and \$1.5 million.

Dyett & Bhatia will lead all aspects of the General Plan Update process and will be assisted by a team of sub-consultants that will provide specialized services and knowledge to the process. These sub-consultants include locally-based firms Omni-Means and Provost & Pritchard, along with California-based Economic & Planning Systems, ICF Jones & Stokes, and Urban Green.

The consultant's Scope of Work proposes a work program for all phases and components of the Comprehensive General Plan Update as outlined in the RFP distributed by the City. Furthermore, staff has requested and the consultants have assured that the Scope of Work will include the following components:

- A public participation program targeted to reach all facets of the community, including the general public, community representatives, and decision-makers.
- A Program Environmental Impact Report that will consider the environmental effects of buildout projections by the General Plan Update, as well as buildout projections in accordance with the accepted East Downtown Visalia Strategic Plan.

- Inclusion of corridor studies to analyze existing conditions and develop strategies for economic development and revitalization. These strategies will not be site specific, but more policy-oriented. The five target corridors are Mooney Boulevard, Santa Fe Street, Court & Locust Streets, Dinuba Boulevard, and Ben Maddox Way.
- Study and recommendations for long-term management for the West Highway 198 corridor.
- Inclusion of environmental analysis, mitigation measures, and policies suitable for State review, particularly for compliance with State Assemble Bill 32 and Senate Bill 375 pertaining to climate change and greenhouse gas management.
- Cost savings resulting from staff-performed data collection and assistance with facilitating community meetings and stakeholder meetings.
- Ability for work to be suspended at milestone intervals without financial penalty, in the event of any potential funding shortfalls.

Dyett & Bhatia would immediately commence working on the project upon entering into a contract. This would mean that the project should be completed by the end of 2012 based on the consultant's proposed three-year schedule.

East Downtown Master Plan (EDT): These are two major City-initiated and funded planning initiatives that are currently underway but not yet completed. The General Plan Update will address these plans in different ways.

The EDT project covers approximately 160 acres for the area east of Bridge to Ben Maddox, and north of Mineral King to Murray. Most of the Plan is complete. However, the EDT still needs formal adoption of the various plan components, and requires a program level environmental review. The General Plan update will incorporate these components into the General Plan and provide a program-level environmental clearance for future projects and improvements in the EDT project area. The General Plan Update will emphasize development of vacant and under-utilized lands in East Downtown and address locations for future service commercial uses. Individual projects and associated environmental (CEQA) reviews that may appear before that time can be processed individually ahead of the final adoption of the General Plan Update and Program EIR.

Optional Tasks: During the course of the negotiations, some other tasks emerged which are not essential components of the General Plan Update but are optional studies related to the work to be carried out in the Update. The following tasks would come at an additional expense beyond the consultant's cost proposal for the General Plan Update.

Recommended For Further Consideration:

- **Mooney Blvd. Detailed Corridor Study:** The study would go into greater depth than the other corridors studied under the Scope of Work, in that strategies and recommendations would be made on a parcel level. This optional task is important due to the high importance that the Mooney Corridor has in our retail sector and in recognition that this corridor needs intensive analysis to identify strategies to keep it vital in the changing retail economy. This work is proposed to be funded through the Mooney Redevelopment Project Area.

The Mooney Blvd. Detailed Corridor Study does not include an environmental review document, because it is not known if there would be any regulatory changes such as increased density that trigger potential environmental impacts. If there are such changes, the environmental impacts could be studied at a programmatic level in the

General Plan EIR (which would be very cost effective), or in a separate environmental document.

With the City Council's concurrence, staff will negotiate the scope and cost with the consultant and return to the Council with a proposal for this work.

Not Essential at This Time: Staff's evaluation is that these work products are already adequately addressed and in compliance with current regulations and professional standards. If they become necessary to address at some point in the future, staff will make the appropriate recommendations to add these work products at the appropriate time.

- **Fiscal Charette** (Economic & Planning Systems, cost: \$6,740) This would be a consultant-led charette designed to identify the relative fiscal impacts of each land use/transportation plan during the Alternatives and Evaluation stage.
- **Infrastructure Financing Strategy** (Economic & Planning Systems, cost: \$19,875). The study would identify opportunities and constraints in association with funding major capital improvements over the course of the General Plan Period.
- **Water Supply Assessment** (Provost & Pritchard, cost: \$30,000): The study would satisfy the requirements of Senate Bill 610 and study in detail the availability of water supply for future growth.

Funding Sources: The 2008/09 and 2009/10 fiscal year budget allocates the following for the General Plan Update effort:

General Fund (#0011-8078)	<i>Unrestricted</i>	\$860,000
<u>Parks & Facilities Fund (#1211-9031</u>	<u><i>Restricted to Parks & Rec. Element</i></u>	<u>\$102,500</u>
TOTAL BUDGETED		\$962,500

Based on the consultant's proposed contract amount of \$1,129,205, there is currently \$166,705 that is unbudgeted. However, this money could be budgeted in future Fiscal Year budgets (the Update is scheduled for completion in late 2012).

Cost Recovery Proposal: The City Council adopted a "General Plan Maintenance Fee" in 2004 to help recoup the costs of a future General Plan Update. The fee is assessed to private enterprise annexations at a rate of \$340/acre, and is typically collected after annexations receive approval from the County. Money received reimburses the unrestricted General Fund budget for the General Plan Update, and could also cover un-programmed expenses.

Approximately \$193,000 in revenue was collected in the first two years of implementation, but no revenue was received in the last three years since economic conditions have brought annexation activity to a stop. The 480-acre Vargas property in the Industrial Park, approved in 2007, will generate \$147,000 in fees as the site develops, since the annexation agreement authorized fees to be collected with building permits on a pro rata basis.

Another option for a cost recovery method would be to assess a General Plan Maintenance Fee on other development applications (such as subdivision maps and Conditional Use Permits (CUPs), either as a standard fee or as a percentage of project or construction valuation. These fees would be collected with application filings. The justification (nexus) for the fee is that all new building activity in the City will benefit from an up to date General Plan and Program EIR. The fee, if instituted, would provide a more steady source of revenue and be borne by direct beneficiaries of the General Plan update and program EIR effort. The City of Clovis is one such city that has funded their General Plan in this manner.

Prior Council/Board Actions: N/A

Committee/Commission Review and Actions: On December 17, the General Plan Update Review Committee considered Dyett & Bhatia's proposed Scope of Work and budget.

Attachments:

- Exhibit "A" – General Plan Scope of Work (pages 2-1 through 2-36)
- Exhibit "B" – General Plan Budget (Fees & Hours)
- Exhibit "C" – General Plan Schedule

Recommended Motion (and Alternative Motions if expected):

Authorize staff to execute a contract with Dyett & Bhatia for preparation of a General Plan Update and Program Environmental Impact Report (EIR); and authorize staff to negotiate a scope of work and fee for preparation of a Mooney Boulevard Corridor Study.

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:

Planning Commission
General Plan Update Review Committee
Visalia Chamber of Commerce, Governmental Affairs Committee
Consultant

2 Scope of Work

2.1 Phases of Work and Schedule

PHASES

Our approach to the Visalia General Plan Update and the Environmental Impact Report (EIR) work program envisions the project to be broken down into three phases, each of which involves several major tasks. This section provides an overview and a detailed scope of work. The total timeframes for each phase are presented, along with the amount of time that will be spent on each task. The timeframes for the tasks overlap, as shown on the graphic schedule that follows. The total estimated time frame for the General Plan and EIR is three years.

Phase I: Visioning, Outreach, and Background Studies – 10 Months Total

Task: Reconnaissance, Organization, and Technical Work. (3 Months) A kick-off meeting will be held with City staff and the team, which includes a field tour. The public participation program will be finalized. Background information needs will be determined, plan product formats, including computer-mapping formats, will be established, and the available land use information will be analyzed. During this Phase, we will also establish a General Plan update website.

Task 2: Visioning and Issue Identification. (5 Months) Key issues would be identified through field reconnaissance and review of planning documents, stakeholder interviews, Review Committee meetings, decision-maker meetings, a community survey, as well as a community workshop.

Task 3: Existing Conditions and Key Issues Report. (7 Months) An assessment of the existing conditions, trends, and key issues—physical, economic, and environmental—will be undertaken. This assessment will provide the springboard for the plan alternatives, as well as the basis for policies in the General Plan, and the setting for the General Plan EIR. A baseline transportation analysis will be included. A report will be prepared in the form of a “map atlas,” emphasizing graphics and maps. This document will serve as a repository of all data collected and analyzed, so that the planning process can be delayed if necessary until additional funding is available.

Phase II: Choices – 13 Months

Task 4: Alternatives and Evaluation. (7 Months) Dyett & Bhatia will develop three alternative scenarios for future development, arranged in a workbook. These alternatives will

focus on key decisions related to the areas of future growth and areas with infill development opportunities. The alternatives will be evaluated with the community, Review Committee, Planning Commission, and City Council. The evaluation will consider sustainability and greenhouse gas emissions; environmental and agricultural land impacts; transportation access and impacts; infrastructure costs; and other critical factors.

Task 5: Preferred Plan, Policy Framework, and Phasing Plan. (6 Months) Based on feedback from the community and decision-makers, a preferred plan will be prepared, along with key policies that form the core of the General Plan. Potential policies related to green building, recycled water, and other sustainable development issues will be introduced. A table of existing General Plan policies will identify policies to be retained, revised, or deleted. A preliminary phasing plan will also be drafted and discussed. This document will summarize the preferred plan and key policy choices, so that the community consensus is memorialized if the planning process needs to be delayed due to funding.

Phase III: Draft General Plan and EIR – 13 Months

Task 6: Draft General Plan. (6.5 Months) We propose to include the following elements. This would be refined based on input from City staff, the community, and decision-makers:

- State-mandated elements: Land Use; Circulation; Open Space, Parks, and Recreation, Noise; Safety; and Conservation/Air Quality.
- Community Facilities and Public Services: An additional element is proposed to cover community facilities and public services. Public services include: schools, infrastructure (stormwater management, wastewater systems, and water supply and distribution); solid waste management; and police and fire services. Community facilities include libraries, civic and cultural facilities, and historic preservation resources.
- City Design Element: This element covers street design, scenic highways, urban design, gateways, neighborhood design character, and other urban design issues.
- Implementation Program: This outlines the major General Plan initiatives to be accomplished over the next 20 years and how they can be carried out over time.
- Sustainability. We propose that sustainability policies will be integrated throughout the plan, since best practices for sustainability apply to all the different General Plan elements. However a separate Sustainability Element could be prepared.

The plan will include both guiding policies and implementation policies in each chapter. This will be laid out in an easy-to-read format, with rich use of photographs, drawings, and three-dimensional visualization. It will be provided to the City in a format so as to be easily accessible on the web.

Task 7: Draft and Final EIR. (10 Months) Impact assessment will be conducted parallel to General Plan preparation, so that mitigation can be built into the General Plan, resulting in a self-mitigating Plan.

Task 8: Community Review and Adoption. (7 Months) The Draft General Plan and Draft EIR will be circulated for review and comment, and discussed at public hearings. Final versions will be prepared based on final direction from the City Council.

Meetings

The following meetings are anticipated in our scope of work and presented in the work program after their corresponding task. They also are shown graphically on the Project Schedule in Section 2.3.

Public Meetings in the Scope of Work

		<i>City Council/ Planning Commission</i>	<i>Community/ Neighborhood Workshops</i>	<i>General Plan Review Committee</i>	<i>Stakeholder Interview Sessions</i>
Task 1:	Reconnaissance, Organization, and Technical Work				
Task 2:	Issue Identification and Visioning	1	1 (with General Plan Review Committee)		15
Task 3:	Existing Conditions and Key Issues Assessment	1		1	
Task 4:	Planning Alternatives	1	3 (includes 2 special community meetings)	2	2-3
Task 5:	Preferred Plan and Key Policies Formulation	1		1	4
Task 6:	Draft General Plan		1	2	
Task 7:	Draft Environmental Impact Report		1		
Task 8:	Community Review and Adoption	4			
Total General Plan / EIR		8	6	6	22

PRODUCTS

The following products are anticipated in our scope of work, presented in the work program after their corresponding task, and shown graphically on the Project Schedule in Section 2.3.

Coordination/Outreach Materials

Detailed Work Program & Project Schedule
Project Website
Community Outreach Summary Report
Newsletter #1: Project Introduction
Newsletter #2: Opportunities & Challenges
Newsletter #3: Alternative Plans
Newsletter #4: Draft Preferred Plan
Newsletter #5: General Plan Summary
Community Survey

Workbooks/Reports

Draft Vision/Guiding Principles Memorandum
Existing General Plan Policy Matrix; Summary Report
Existing Conditions, Opportunities and Challenges Workbook with Map Atlas (Draft and Final)
Smart Growth Development Examples Booklet
Best Practices Memorandum
Sustainability Indicators Memorandum
Alternative Plans Workbook
Travel Demand Forecast/Alternatives Analysis Working Paper
Fiscal Analysis Technical Memorandum (Optional)
Draft Preferred Plan, Policy Framework, and Phasing Alternatives Report
Infrastructure Analysis Memorandum
Sustainable Development Policies Memorandum

General Plan Documents

General Plan Outline
Administrative Draft General Plan
Public Hearing Draft General Plan
General Plan Executive Summary
Adopted General Plan (with “screen-check” review copy)
GIS Layers for Land Use, Existing Land Use, and other key topics

CEQA Documents

Notice of Preparation
Notice of Completion
Notice of Determination
Administrative Draft EIR
Draft EIR
Administrative Final EIR: Addendum – Response to Comments
Final EIR: Addendum – Response to Comments
Statement of Overriding Considerations (if necessary)
Mitigation Monitoring and Reporting Program (if necessary)

Implementation Documents

Implementation Program

Optional Products

Infrastructure Financing Strategy
Water Supply Assessment

2.2 Detailed Scope of Work

This section outlines our proposed work program for all phases of the Visalia General Plan Update. The program is organized into eight tasks, from project initiation to publishing the final General Plan and EIR documents. The sequence of work products, community meetings and City Council/Planning Commission workshops are graphically illustrated in Section 2.3: Phases and Schedule.

The task-by-task descriptions that follow present our approach to data collection, alternatives analysis, policy formulation and preparation of the documents. Each task description includes a purpose statement at the beginning.

Initials in parentheses following the sub-section heading identify the lead firm for each sub-task:

- D&B: Dyett & Bhatia, Urban and Regional Planners
- EPS: Economic & Planning Systems, Economics and Public Finance Consultants
- UG: Urban Green, Sustainability Consultants
- J&S: Jones & Stokes, Environmental Consultants
- OM: Omni-Means, Transportation Engineers & Planners
- PP: Provost & Pritchard, Civil Engineers - Infrastructure Consultants
- MWR: Mountain West Research, Survey Specialists

TASK I: RECONNAISSANCE, ORGANIZATION, AND TECHNICAL WORK

The objective of this first task will be to develop a detailed Public Participation Program, as well to conduct a series of introductory and organizational tasks. Background information needs will be determined, plan product formats, including computer-mapping formats, will be established, and the available land use information will be analyzed. During this Phase, we will also establish a General Plan update website.

- A. **Kick-off Meeting and Field Tour with City Staff (D&B, OM, J&S, EPS, PP).** The consultants will meet with members of the City Planning Department staff for a half-day to discuss their ideas and aspirations for the project. At these meetings data sources will be identified, roles and responsibilities will be clarified, communication protocols will be established, and work program modifications will be discussed. A field tour of the City to examine key issues will be part of the kick-off meeting.
- B. **Background Information (D&B).** Existing information needed for the General Plan will be gathered, including: water, sewer, transportation and other facility plans, existing land use, and details on the status of proposed and approved development projects. During the kick-

off meeting, we will coordinate with Planning Department and other City staff to provide the consultant team with an overview of existing plans and program, pipeline development, major opportunities, and key issues.

- C. **Gather Information from Other Public Agencies (D&B).** Representatives from neighboring jurisdictions and Tulare County will be contacted in order to coordinate with local and regional planning efforts. Other relevant regional agencies that regulate issues or produce plans will be contacted.
- D. **Obtain City/County Base Maps, Current Digital Orthophotography, and Compile GIS Database (D&B).** Using data available from the City, Tulare County, and our fieldwork, we will prepare a computerized base map for the display and analysis of Planning Area land data. All GIS information and database development will be coordinated to be compatible with ArcGIS and the City's current mapping efforts. The database will include georeferenced aerials for a composite database for the Planning Area. All streets will be included, and parcel lines will be shown on some of the published maps.
- E. **Land Use and Vacant Parcel Survey (D&B).** The City currently does not have a complete GIS database of existing land use. Obtaining existing land use and zoning data layers will be essential for looking at infill and reuse opportunities. A land use data layer would be created from existing data sources, such GIS data for Tulare County and third party sources. Focused windshield surveys would be used to complement the land use and assessor's parcel data to identify opportunity sites. Significant vacant parcels and parcels with redevelopment potential would be surveyed in more detail and identified in the Map Atlas, described below; they also will be the foundation for the General Plan Housing Element Update. Information from the East Downtown Expansion Area plan will be incorporated.
- F. **Existing Transportation Conditions (OM).**
 - **Traffic Counts:** Existing daily and peak hour traffic counts will be obtained from the City, Caltrans and recent traffic studies and EIRs. Under this task it is anticipated that up to 25 AM and PM peak hour and 25 daily counts be newly conducted. Should additional daily or peak hour counts be required as determined by City/Caltrans staff and/or the TAC, OMNI-MEANS will provide a budget and obtain additional authorization.
 - **Transportation Corridor Data:** Available transportation corridor data will be obtained from all available sources, including the City, TCAG and Caltrans files. This information would include:
 - Right-of-way widths
 - Pavement width
 - Travel lanes
 - Travel speed (85% or posted speed)
 - Grades
 - Planned improvement projects

- G. **Demographic Analysis and Trends. (D&B)** An analysis of census data and other more recent data sources will be conducted to study population growth and demographic trends in Visalia.
- H. **Establish Project Website (D&B).** D&B will provide to City staff a complete design of the project website. Interim designs will be reviewed with staff before the site is finalized. This site will be hosted on the City's website or as a stand-alone site. The Scope of Work, Schedule Existing Conditions and Key Issues Report (see Task 3), upcoming participation opportunities, and other material will be placed on the project website.

Meetings: Kick-off & Issues Meeting with City Staff

*Products: Final Project Work Program & Schedule
Project Website
Electronic Base Map for the General Plan
Traffic Counts*

TASK 2: COMMUNITY VISIONING AND ISSUE IDENTIFICATION

The objective of this task is to identify and understand community concerns and to establish a coordinated and realistic direction for the future founded on a community-based strategic vision. This task is intended not only to provide a more complete picture of the issues and opportunities facing the City of Visalia, but also to build public support and 'buy-in' into the General Plan Update process.

- A. **Kickoff Workshop with General Plan Review Committee and Public. (D&B)** Conduct a workshop with members of the Review Committee and the public to discuss their ideas and aspirations for the General Plan. The meeting will have three principal objectives:
- Discuss what people like about Visalia and want to preserve.
 - Discuss key concerns and issues that should be covered in the General Plan process.
 - Discuss the future vision of Visalia in 2030 and key priorities to accomplish.

The consultant team will prepare materials and conduct the workshop (we expect that city staff will be available for tabletop facilitation at a few tables). The meeting will be designed as a community event, to facilitate the participation of a wide diversity of residents, business people, and other key stakeholders. D&B will prepare all materials for the workshop, and summarize findings. We would work with City staff, stakeholders, Review Committee members, and possibly the City Council to extend personal invitations to community members, in order to encourage attendance.

We would meet with the General Plan Review Committee immediately before the community workshop to do introductions, discuss their important role in the project, and discuss logistics and scheduling.

- B. **Existing General Plan Review. (D&B)** During this task, D&B will also carefully evaluate the current General Plan using a matrix of policies and discussions with City staff to deter-

mine the overall effectiveness and areas that need improvement. The existing plan will be evaluated based on recent state and federal legislation, to determine policies that need to be added or revised to comply with state and federal requirements.

- C. **Newsletter #1 (D&B).** The first General Plan Update newsletter will be prepared to explain the objectives of the General Plan program, key issues to be addressed, and opportunities for public participation. The newsletter will help ensure that citizens are informed about how and when to be involved in the General Plan Update Process. We assume that the City will be responsible for the printing and mailing of the newsletter. It could be included in a City newsletter or as an insert in the local newspaper.
- D. **Interview Individual Stakeholders (D&B; EPS may attend some interviews).** Over a two-day period, representatives of public agencies, community members, educators, business leaders, environmental advocates, members of City Committees, etc. will be interviewed to identify their issues of concern and get feedback about the specific issues identified. Utility companies and school districts will be interviewed. City department heads and other key staff will also be interviewed. This step is critical, because often people will be much more candid in a one-on-one or small group interview. We will ask a series of questions to uncover the major issues of concern, deal breakers, desirables, and the political factors that may come into play during the process. Our budget provides for 15 such interviews (with two or three participants at each meeting for a total of about 30-40 individuals). These interviews could be scheduled either concurrently on the same day in two rooms, or over two days, with D&B staff and EPS staff. A report summarizing stakeholder findings will be provided and published.
- E. **Meet and Confer with other City, Regional, and State agencies. (D&B).** Hold up to four meetings over the course of one day with representatives from other nearby cities, regional agencies, or state agencies. Gather information and discuss key issues related to the growth and development of Visalia. These meetings could be held later at the alternatives stage of the planning process (Task 4), in order to gather feedback about General Plan proposals.
- F. **Define Preliminary Planning Area (D&B).** Existing data will be analyzed to propose the boundary of the preliminary planning area. The Planning Area and growth boundaries of surrounding communities will be mapped as part of this effort. This will be presented to decision-makers and then finalized.
- G. **City Staff Meeting (D&B).** Meet with City staff to review all the input from the community and to review the proposed planning area.
- H. **Prepare and Compile Mail-in Survey (D&B, MWR).** A postage prepaid mail-in survey can be prepared to understand viewpoints related to the city's vision, growth and development, salient planning issues, and potentially transportation use and habits, to help with later transportation analysis. D&B would work with the City to develop and refine the survey instrument and determine an appropriate sample population. The survey could be mailed as part of the City's community newsletter or as a stand-alone mailing. We would look to the City to print, mail and provide postage costs for the survey. This could also be conducted as part of a later task.

- I. **General Plan Guiding Principles and Big Ideas (D&B).** A General Plan Guiding Principles memo (two or three pages long) will be developed based on the community input. While these can be refined prior to General Plan adoption, they will provide guidance for subsequent efforts. These will provide the criteria for evaluating alternatives in later phases. Also included in the memo will be a preliminary list of the “big ideas” that came out of the community outreach. Examples could include proposals for bike path systems, economic development, City gateways, or other projects that citizens want to accomplish over the next 20 years.
- J. **Study Session with City Council and the Planning Commission (Meeting #1) (D&B; Team).** Staff and consultants will meet with members of the City Council and the Planning Commission (preferably in a joint workshop) to discuss their ideas and aspirations for the General Plan. The meeting will have three principal objectives:
- Summarize community input received, and review approach to public participation. This will be refined based on any City Council/Planning Commission comments following the meeting.
 - Give decision-makers the opportunity to describe their own priorities for the planning process as well as areas or issues they believe are the most critical.
 - Receive City Council and Planning Commission input about the Draft Guiding Principles and “Big Ideas”.

*Meetings: Stakeholder Interview Meetings (15)
Kickoff Community Workshop #1, with General Plan Review Committee
City Staff Meeting
Study Session with City Council/Planning Commission*

*Products: Newsletter #1: Project Introduction
Existing General Plan Policy Matrix
Report on Community Outreach, including: Stakeholder Meetings and Community Workshop #1
Draft Guiding Principles and “Big Ideas” Memo*

TASK 3: EXISTING CONDITIONS AND KEY ISSUES ANALYSIS (BACKGROUND STUDIES)

The objective of this task will be to obtain and compile background information; analyze long-term trends; identify key factors that will affect planning decisions; identify key issues, and summarize the opportunities and constraints in Visalia. The Existing Conditions and Key Issues Report will be in the form of a “map atlas,” relying on maps and graphics to depict a range of subject matter affecting physical development. Text will be written in a way that can be easily understood by the public and decision-makers.

- A. **Existing Land Use Layer (D&B).** A complete existing land use data layer will be prepared, which will serve as the basis for calibration of the transportation model, land use analysis, and alternatives. Significant vacant, underutilized parcels, and unincorporated County land with a potential for annexation, will also be identified, based on a variety of considerations.
- B. **Population and Employment Projections (D&B, review by EPS).** D&B will derive citywide population and employment projections which are likely to rely on existing State, regional, and city data sources (i.e. the San Joaquin Valley Regional Blueprint). The employment projections will include a breakdown by NAICS sector, to be used in the economic and market analyses described further below. EPS will review and comment on these projections. This information will also be correlated with information in the draft updated Housing Element.
- C. **Market Demand Analysis (EPS).** EPS will evaluate the real estate market conditions and trends likely to affect the type, amount, and location of development in Visalia over the General Plan term. The analysis will be based on market indicators such as vacancy and absorption, relative prices, commute patterns, select demographic characteristics of anticipated growth, existing nodes of business activity by sector, other readily available data. This information, in conjunction with the citywide employment projections by sector, will be utilized to estimate a range of residential, retail, industrial, and office space and land that could be supported in Visalia over the General Plan term assuming rapid, stable, or slow rates.
- D. **Economic Analysis, including Major Corridors (EPS).** This effort entails an evaluation of the regional employment base, significant and emerging/expanding industries, and the City’s competitive position within the region. The consideration of economic vitality issues, (e.g. the existing labor pool, trends in major economic sectors, the existing business climate and efforts to cultivate business opportunities), and the role of Visalia in the larger Tulare/Fresno region economy will help the City to identify opportunities to foster desired employment and economic growth over the period of the General Plan. In conjunction with the market indicators analyzed in Task 3B and 3C, this evaluation will ultimately provide an economic development perspective of how to best position the City’s five major commercial corridors with respect to regional and city-level trends and opportunities. The goal will be to identify and inform strategies to foster desired development patterns within these corridors.

- E. **Transportation Assessment (OM).** The existing traffic conditions will be analyzed based on the data collected in Tasks 1. Critical roadways will be described in terms of functional classification, travel speed, lanes, traffic volumes, and intersection spacing. Intersections will be described in terms of configuration, control, and traffic volumes. Daily capacity analysis will be completed for existing roadway conditions. Weekday AM and PM peak hour capacity analysis will be completed for existing intersection conditions. Existing regional travel patterns, including travel to, from, and through the City will be summarized. Stakeholder interviews related to transportation are also included in this task.

An inventory of non-automobile transportation modes within the City will also be updated to reflect existing conditions. Existing airport, railroad, public transit, truck, bicycle, and pedestrian travel conditions will be identified. Existing Transportation System Management (TSM), Transportation Demand Management (TDM), Transportation Control Measures (TCM) and other transportation programs within the City will be identified. Existing conditions of other travel modes, including airport, railroad, transit, trucks, bicycles and pedestrians and TSM programs will be studied and summarized into the Circulation section of the Existing Conditions Report.

The results of this technical analysis (in text, tabular, and graphical format) will document the existing transportation conditions and setting for the Existing Conditions and Key Issues Report. It will also form the initial chapters of the Technical Appendix that will support the EIR.

- F. **Agricultural Resources and Farmland. (D&B)** D&B will gather data and prepare maps related to all types of farmland within the planning area and at the outside edges. This information will also be depicted graphically in GIS layers. Data sources include:
- Recent aerial photographs showing the distribution of grazing land and other open land within the Planning Area;
 - Data concerning any local properties under active Williamson Act contract;
 - Existing land use zoning regulations;
 - U.S. Department of Agriculture soil survey reports; and
 - Recent farmland classifications based on the Important Farmland Maps of the Department of Conservation's Farmland Mapping and Monitoring Program (FMMP).
- G. **Public Services Assessment (D&B).** Significant issues related to the provision of public services will be provided, including: fire protection, police protection, schools, and basic utilities.
- H. **Community Facilities and Historic Resources. (D&B)** Major community facilities will be identified. Historic resources identified in the California Historic Resources Information System (CHRIS) will also be mapped and listed. Existing historic protection policies will be described.
- I. **Existing Water, Wastewater, and Stormwater Infrastructure (PP).** Provost & Pritchard will document and map the existing water, wastewater, and stormwater systems. The

evaluations will be based on discussions with City staff and by reviewing the adopted Water System Master Plan, Sanitary Sewer System Master Plan, and Stormwater Master Plan. The data gathered will be used to address storm water management, wastewater systems and water supply and distribution from a community facilities and public service perspective. Provost & Pritchard will prepare base maps of the existing systems and prepare a short report of the findings, existing constraints, and issues.

- J. **Hydrology and Water Quality. (J&S)** The hydrology and water quality existing conditions section will be updated using existing information. The hydrology and water quality section will include a description of the surface hydrology and hydrogeology of the City, including characteristics of existing drainages, downstream water bodies, drainage infrastructure, and underlying aquifers and associated groundwater levels. FEMA floodplains will be identified, and a discussion of regional flood control infrastructure will be included. Surface and groundwater quality will be discussed qualitatively using available data. Relevant federal, state, and local regulations and agencies will be described, including provisions of the federal CWA, the state Porter-Cologne Water Quality Control Act, the permitting and regulatory authority of the RWQCB. This section will also discuss relevant local regulations associated with the City and County, including the municipal National Pollution Discharge Elimination System (NPDES) stormwater permit program.
- K. **Air Quality (J&S)**
- The air quality and climate existing conditions will be characterized based on meteorological and ambient pollutant data monitored at the stations in and around Visalia. We will also describe the health effects of the various pollutants of concern, discuss the most recent local, state, and federal ambient air quality standards, the project area's attainment status with respect to the air quality standards, , and how the air quality standards pertain to the proposed general plan.
 - We will also discuss air quality planning in the project region, including a discussion of applicable air quality goals, policies, and attainment plans of state and local agencies. We will also discuss those aspects of the region's most recent Air Quality Attainment Plan and State Implementation Plan that are applicable to the project. In addition, we will identify the general locations of sensitive receptors in Visalia. Finally, we will identify the emissions budget for the City of Visalia based on data provided by the California Air Resources Board.
- L. **Natural Hazards (D&B)** The primary natural hazards within the area covered by the General Plan include wildfires, floods, earthquakes, landslides, and dam safety. Natural hazards information will be described in text and depicted graphically in GIS.
- M. **Hazardous Materials (D&B).** D&B will gather information on the locations of known soil and/or groundwater contamination. This will include information on possible development sites identified in the East Downtown Plan.
- N. **Noise (J&S)**

- ICF Jones & Stokes will update the existing conditions noise report for the updated noise element of the general plan as recommended in the State of California General Plan Guidelines and the SJVAPCD Air Quality Guidelines for General Plans.. As part of this effort ICF Jones & Stokes will conduct the following tasks:
 - **Identify existing noise sensitive land uses.** Using aerial photography, land use mapping and other data to be provided by the City, ICF Jones & Stokes will identify existing noise sensitive land uses in the City (e.g. residential areas, schools, healthcare facilities, churches).
 - **Identify major mobile and stationary noise sources.** Using transportation plan mapping and other data to be provided by the City and the project transportation consultant, ICF Jones & Stokes will identify existing major mobile and stationary sources of noise in the City (e.g. highways, railroads, airports, commercial and industrial facilities).
 - **Characterize existing noise levels from major noise sources.** ICF Jones & Stokes will characterize existing noise conditions in the City with a community noise survey and noise modeling. The community noise survey will involve short-term (10 to 15 minute) sound levels measurements at up to eight selected locations throughout the City. Long-term measurements (continuous 24-hour measurements over several days) will be conducted at up to three locations within the City. Existing traffic noise conditions along existing major arterials and freeways within the city will be characterized at a program level along up to 30 roadway segments using the FHWA Traffic Noise Model (TNM) version 2.5.and average daily traffic volume and speed data to be provided by the project transportation consultant. Existing noise along rail lines will be characterized using Federal Transit Administration and the Federal Railroad Administration noise models and rail operational data to be provided by the City. Existing traffic and rail noise modeling results will be summarized in a tabular format. Existing and projected aircraft noise conditions will be characterized using aircraft noise contours prepared as part of previous airport noise studies if available. Future noise contours will be prepared for up to 15 road segments. A map showing noise contours will be prepared; new aircraft noise modeling is not included in this scope of work.
 - **Determine the extent of noise problems in the community.** Based on noise complaint information to be provided by the City, ICF Jones & Stokes will characterize the location and extent of noise problems in the community.
- O. **Biological Resources (J&S).** ICF Jones & Stokes' biology team will review existing information and coordinate with resource agencies and review aerial photographs of the study area. We will obtain and review existing and available information that pertains to the project area. This will include a review of records from the most recent update to the California Natural Diversity Database, recent environmental documents, and ICF Jones & Stokes' file information. An ICF Jones & Stokes botanist will also review additional information on species habitat requirements, blooming periods, and field identification characteristics from state floras (Munz and Keck 1973, Hickman 1993) and the California Native Plant Society's (CNPS) inventory on-line edition. This information will be used to develop a list of special-status species that have the potential to occur in the project region. No field studies, including blooming period special-status plant surveys, protocol-level surveys for wildlife species,

or wetland delineation according to U.S. Army Corps of Engineers requirements are proposed under this scope of work.

- P. **Sustainability (D&B, with Urban Green).** D&B and Urban Green will establish a list of key sustainability indicators related to land use and future development. D&B will gather data about the proposed indicators from available existing data and from other data being created for the General Plan. We will look at current trends in Visalia, benchmarks based on State standards and/or other comparable cities, and compare where Visalia stands relative to these benchmarks.
- Q. **Community Design (D&B).** D&B will analyze Visalia’s urban form at three levels: the citywide scale, neighborhood, and individual block. The citywide analysis will emphasize entrances, edges, views, and streetscapes. Analysis at the neighborhood scale will identify key areas that give the City its unique character, including Downtown, and residential neighborhoods developed during different decades of the City’s growth. These elements will be depicted on the base map, described according to their contributing characteristics, and illustrated by photographs. The block-level analysis will examine block sizes and the prototypical relationship between buildings and streets, in residential and non-residential areas—both traditional and emerging.

Using GIS, D&B will analyze city and neighborhood walkability—accessibility to shops, services, downtown, and open spaces. We will also review recently-built projects, design and development regulations in the Zoning Ordinance, and see how these match with community values and livability desires, and what changes in City policies and standards will foster better community design. Scenic highways will also be identified and evaluated.

- R. **Parks and Open Space (D&B).** Using information from City (and County) staff, the Planning Area’s parks and recreational open space will be fully mapped and quantified, including planned open space acquisitions. Existing park standards will be described. Using service radii and walking distances from existing parks, current deficiencies in recreational open space will also be visually represented, and neighborhoods or other areas lacking in such facilities will be identified.
- S. **City Staff Meeting. (D&B)** Review the maps, major findings, and conclusions of the Existing Conditions and Key Issues Report at a meeting with City staff from all departments. City staff will review and comment on the draft, and then D&B will revise the document to respond to staff comments.
- T. **Existing Conditions and Key Issues Report (D&B).** Using information provided by City staff and available through compiled resources, D&B will prepare a graphically-oriented Existing Conditions and Key Issues Report. It will include a series of maps, tables and summary text documenting existing land uses, analysis of existing neighborhood form (block and lot patterns, connections, open space and density), major development projects (City staff to provide), public facilities, environmental conditions, existing noise, regional policy considerations, and potential growth areas. The demographic analysis and the economic analysis will be included.

The mapping analysis will lead into an assessment of recent and long-term trends in land use within Visalia. This assessment will focus on the important patterns and trends that will affect the choices that the City must make later in the planning process. This assessment will include development of focus study areas—sites where change/intensification could be expected or should be explored as part of the General Plan update process. These areas will be identified through discussions with City staff, community input (Task 2), field surveys, and a GIS-based intensity/valuation analysis. We will also work with staff to identify any other existing uses that may be replaced or intensified due to their economic obsolescence, physical deterioration, or incompatibility with adjacent uses. While much of the City will not undergo change, this analysis will provide the opportunity to address key sites and corridors in an integrated interdisciplinary manner, and help support neighborhood-based discussion of their challenges and prospects.

- U. **General Plan Review Committee Meeting #1 (D&B).** Present and discuss key findings of the Existing Conditions and Key Issues Report. The General Plan Review Committee members will have the opportunity to identify any additional key issues that they think should be added to the report.
- V. **Present Existing Conditions and Key Issues Report to Decision-Makers: CC/PC Meeting #2 (D&B).** The report will be presented in a joint workshop with the Planning Commission/City Council (or alternatively at a single meeting of one of the two bodies.) To enable the consultant team to present findings on key topics, substantial time will be reserved at the meeting for decision-maker feedback on key issues. Decision-maker feedback will be used to draw up alternatives, as well as incorporation in General Plan policy.
- W. **Prepare Newsletter #2 (D&B).** The second General Plan Update will describe key findings from public participation efforts at this stage and results from the Existing Conditions and Key Issues Report. The articles will help inform citizens about the progress of the General Plan Update and describe ways to get involved in subsequent phases. This can be posted on the City website, and distributed via other regular City mailings or the local newspaper.

Meetings: City Staff Meeting

General Plan Review Committee Meeting #1

Joint City Council & Planning Commission Meeting #2

Products: Existing Conditions and Key Issues Report, Draft and Final (30 bound copies, 1 unbound copy, one CD-ROM of each)

Newsletter #2: Existing Conditions and Key Issues

TASK 4: ALTERNATIVES AND EVALUATION

Dyett & Bhatia will research models of smart growth development and best practices for sustainability, agricultural land preservation, and air quality. Then we will develop three alternative scenarios for future development, arranged in a workbook. These alternatives will focus on key decisions related to the areas of future growth – both expansion areas and infill development. The alternatives will be evaluated with the community, Planning Commission, and City Council. The

evaluation will consider sustainability and greenhouse gas emissions; environmental impacts; transportation access and impacts; and other critical factors.

- A. **Smart Growth Development Examples. (D&B)** Dyett & Bhatia will research and prepare a booklet of photos and data showing smart growth development models from around California that are relevant to Visalia. A booklet will be prepared showing photos of the examples and presenting basic data about density.
- B. **Best Practices – Sustainability, Agricultural Land Preservation, and Air Quality. (D&B, UG)** Research best practices related to several key General Plan topics, and prepare a summary memorandum and powerpoint presentation. Cover the following topics:
- Sustainability – especially energy efficiency, and transportation
 - Agricultural Land Preservation and mitigations
 - Air Quality Improvement Strategies and Mitigations
- C. **Opportunity Sites for Infill Development and Greenfield Development. (D&B)** D&B will identify infill development opportunity sites through the use of GIS and an analysis of underutilized land (based on County assessor data.) D&B will also analyze development capacity of land within the planning area, based on the carrying capacity of the land, in consultation with City staff regarding densities, open space requirements, and other key assumptions.
- D. **Targeted Analysis on Key Economic Development Issues (EPS).** The City has identified a number of critical economic development issues. Under this subtask, EPS would coordinate with the City to identify one pressing economic development issue for which further analysis could help refine land use alternatives and/or the preferred land use alternative. Potential issues could include, but are not limited to these:
- The relative economic position of individual commercial districts in the City (e.g. Downtown, commercial corridors, and BRP). An evaluation of this issue could focus on each area’s competitive advantages to support commercial growth and identification of major challenges and trade-offs.
 - Policies and strategies to position commercial areas for business attraction. Factors for consideration could include the amount of land needed to develop or foster a commercial node and other key characteristics (e.g. targeted employment sectors, building types and sizes, parking/access requirements, proximity to suppliers or customers, etc).
 - Potential for development along Highway 198 between Highway 99 and Acres Road. This area has historically served as a greenbelt for the City, but the City and property owners may wish to explore the economic and/or fiscal implications of alternative land uses for this area.
- E. **Review Current Traffic Model (OM).** The Alternatives Evaluation and the General Plan Circulation Element will use the Tulare County Regional Travel Demand Model as a base for further traffic modeling refinements to more accurately reflect the current and planned circulation system serving the City of Visalia and its sphere of influence.. Essentially, more local serving collector roads will be added to the TCAG regional network to obtain a more

realistic local travel interaction between land uses within the City. This task will also further disaggregate the existing traffic analysis zones (TAZs) representing the City to more discreetly assign existing and future traffic generation to the City's circulation system. With these traffic modeling refinements, sensitivity to alternative land use and circulation concepts will be greater, including more sensitive comparison of VMT and other parameters in response to SB 375. Lastly, trip generation will be based on population and employment, and not land use, to facilitate incorporation of alternative mobility solutions to synchronize with the compact growth sustainable design direction expressed by the City for this General Plan Update.

This model uses TP+/Viper/CUBE modeling software to provide the basis for both existing and future traffic volume forecasts. Close coordination will be maintained with local and regional transportation agencies including: Caltrans, TCAG and City Planning and Public Works Departments to ensure that the model is acceptable to all appropriate agencies. The following work tasks are required to review, comment, and work with TCAG on their regional traffic model that will be used for this General Plan Update.

- *Refine Existing and Proposed Future Roadway Data.* Existing and future roadway system information as obtained in Task 2 will be refined and documented to form the basis for a more refined traffic model roadway network to more accurately reflect more localized travel within and through the City from the regional model, both existing and in the future.
- *Obtain Existing and Future Land Use Data.* Existing and future land use data and projections will be provided from TCAG to OMNI-MEANS. This data and projections will be divided into separate categories for use in determining land use person and employee trip generation characteristics. OMNI-MEANS will work with City staff and the Consultant Team in further disaggregating the traffic analysis zones (TAZs) to enhance sensitivity to local interactive travel between alternate land uses. *The development, accuracy, and approvals of the land use data and projections will not be the sole responsibility of OMNI-MEANS as future planned growth is difficult to project based upon many development factors.* A new key element of the traffic model to facilitate evaluation and comparative measurement of alternative mobility solutions is that trip generation will originate first from person and employee trips before vehicle trip generation is calculated. Fulfilling the requirements of SB 375, mode choice reflecting differences in proposed land development mix and patterns will first be calculated. Availability of modal options and application of smart growth principles to land use planning will specifically be reflected in the calculation of net vehicle trip generation.
- *Review and Calibrate Existing Conditions Traffic Model.* Based upon the information obtained in Tasks 2 and 3, the TP+/Viper/CUBE traffic model will be update to simulate non-directional peak hour and daily conditions through TCAG staff. The traffic model roadway network will include all significant existing roadway facilities. The existing land use data will be divided into a greater appropriate number of Traffic Analysis Zones (TAZ's) as discussed previously. These zones will be connected to the network to realistically simulate vehicular traffic loading. Based upon the existing traffic volume counts obtained in Task 2, the current traffic model will be calibrated to match these peak hour and daily volumes. Adjustment to the TCAG traffic model will be

done as needed; the accuracy of these calibrations will match the standards set forth by Caltrans.

- F. **Alternative Plans (D&B).** Dyett & Bhatia will develop three potential land use/transportation alternatives. The alternatives will focus on changes at identified opportunity sites and the different opportunity areas for future growth. They will be sensitive to the issues and constraints identified in Task 3, and designed to highlight key policy issues and decisions, such as the geographic areas for future growth and potential transportation improvements. The alternatives will highlight key policy trade-offs infill development and development in expansion areas, and compare implementation challenges.
- G. **Growth Projections for Alternatives (D&B, Review by EPS.)** D&B will prepare growth projections for the three alternatives, based on the preliminary growth projections and the land use supply in each of the alternatives. EPS will review these growth projections and provide feedback based on the Market and Economic Analyses conducted during Task 2.
- H. **Alternatives Evaluation (D&B).** Each of the alternatives will be evaluated based on the guiding principles and other key criteria identified by the City Council. The alternatives will be evaluated in terms of: sustainability and environmental impacts; transportation trips; and infrastructure needs (as described in more detail in the tasks below). A fiscal impacts analysis is optional.

Scenario 360 or a comparable graphic program such as Index or Places 3 will be used to evaluate the implications of the three alternatives. Graphic analysis will focus on sustainability indicators.

- I. **Sustainability and Environmental Impacts Evaluation. (D&B, with Urban Green)** The alternatives will be qualitatively compared in terms of the sustainability indicators developed in Task 3, with emphasis on land-use related energy use and transportation. Major irreversible potential environmental impacts will also be discussed, such as those related to biological resources and loss of prime agricultural land.
- J. **Transportation Trips and Alternatives Comparison (OM).** Omni-Means will assist the project team in shaping conceptual plans based on anticipated transportation and circulation needs and improvements, including a compact land use plan concept. Based upon the calibrated traffic model identified in Subtask 4D, OMNI-MEANS will project 2030 daily and peak hour (non-directional) traffic projections over the General Plan transportation network in conjunction with TCAG. The existing General Plan will be used initially as the basis for determining future 2030 development conditions. From the daily and peak hour traffic projections, overall circulation capacity needs can be projected such that needed changes to the City's circulation system can be identified for multiple scenarios. Also, mode choice options (alternative mobility solutions) will be evaluated for measurable effectiveness in achieving more sustainable design solutions. With a comparative understanding of the alternative land use and circulation plans, OMNI-MEANS will assist the Consultant Team in shaping the General Plan alternatives and achievement of other General Plan goals, including those involving sustainability design. Simply put, the purpose of this effort is to test and help refine the City's efforts to plan for the future. At minimum, this task would consider the following:

- Test up to four (4) preliminary alternative land use/circulation concepts. These four alternatives will be analyzed within the traffic model for future traffic volume projections. These preliminary model forecasts will be reviewed and submitted for consideration. They will not be analyzed in detail and there will not be a quantitative written evaluation prepared. The preliminary analyses will primarily allow for the analysis of creative and innovative concepts for potential transportation implications. Secondly, the preliminary analyses will allow the project team to respond to public comments without incurring great cost or effort.
- Test up to three (3) alternative land use/circulation concepts that will be reviewed in detail for incorporation into the supporting environmental document General Plan Update. A “No Project” (i.e., Current General Plan) alternative will be among these alternatives. The detail of this review will include projected trip generation, daily and peak hour modeled traffic forecasts, and preliminary comparative assessment of potential transportation impacts;
- Determine what changes to the circulation system or programs and capital improvements would be needed in order to accommodate the proposed General Plan; and
- Identify the changes to thresholds/capital project timing as a result of the proposed land use changes.
- Omni-Means will prepare a working paper summarizing the alternatives analysis process and findings. The results of all technical analyses will be presented in appropriate text, tabular and graphical format.

K. **Fiscal Impacts Analysis (EPS). OPTIONAL.** The cost to provide and fund the necessary infrastructure, facilities and public services for new development is a concern for many jurisdictions in California, and Visalia’s growth plans (and resulting service costs) could widely vary under different land use alternatives. The City has identified both edge neighborhoods and infill areas for new development to occur, and has also chosen to pursue a density average of 6.8 units per acre. The amount and location of infill versus Greenfield development, the overall mix of residential, commercial, and industrial land uses, proposed residential densities, and other land use issues will affect the financial feasibility of competing growth scenarios.

Under this task, EPS would lead a half-day, Consultant Team fiscal charette designed to identify the relative impacts of each land use alternative. The discussion will focus on a range of key fiscal dynamics that will impact each alternative. Potential dynamics for consideration include:

- the proximity of new development to existing service delivery facilities and areas
- the relative cost of providing public safety services to various land use types and densities (e.g. multi-family versus single family, multi-story versus single story)
- the impact of housing densities and ownership versus. rental on property tax revenues (e.g. because of different price points and turn-over rates) and public service costs (because of varying expectations or demands on urban services)
- the indirect impact of varying housing affordability on retail sales tax revenue

- the character of new development and corresponding expectations regarding urban services

The charette will involve a qualitative ranking of each alternative based on a variety of these factors; each alternative will be ranked according to this qualitative analysis of criteria to determine the relative merits of each the proposed land use alternative. Following the charette, EPS will summarize the relative strengths and weaknesses of each alternative from a fiscal- perspective in a brief technical memorandum. D&B may incorporate the findings from this memorandum into other materials related to the presentation of land use alternatives.

- L. **City Staff Alternatives Workshop. (D&B)** A hands-on workshop with City staff will be held to review preliminary concepts for planning alternatives.
- M. **General Plan Review Committee Meetings #2 and #3. (D&B)** Two meetings with the General Plan Review Committee will be conducted to discuss the alternatives and preliminary evaluation results. At the first meeting the alternatives will be presented and discussed. The committee will have the opportunity to raise issues and concerns. Alternatives will be revised if needed, and will be discussed in greater detail at the second meeting, along with the evaluation analysis.
- N. **Alternatives Plan Workbook (D&B).** Dyett & Bhatia will prepare an Alternative Plans Workbook that presents the three alternatives and evaluates land use distribution, housing and population projections, resources conservation, and initial assessments of transportation impacts, fiscal impacts, and infrastructure implications. A comparison of sustainability indicators will also be included.
- O. **Newsletter #3 (D&B).** Widespread outreach on the planning alternatives will be initiated with the third newsletter, which will contain the alternative plan and comparison of salient features and buildout data, as space allows. Again, the newsletter will invite community members to participate in the discussion on alternatives' relative merits at the next workshop, with place and time information included.
- P. **Alternative Plans Community Workshop #2 (D&B).** At the second community workshop we will present the model developments and best practices examples. Then we will present the Alternative Plans, and conduct small-group discussions about the pros and cons of each. Photographs of typical types of development as well as plan drawings of the alternatives will be used.
- Q. **Special Community Meetings (D&B).** Two meetings in low-income, minority or other neighborhoods will be held, with translation, to obtain input from these groups that often do not participate in community planning. This would be structured with food and family activities, to encourage participation.
- R. **Presentation to Key Citizen Groups (D&B).** Prepare a presentation about the alternatives and major policy choices to key citizen groups such as the Chamber of Commerce, the

Downtown Merchants, or the Rotary Club. Make the presentation to two or three groups on a single day, accompanied by City staff. Give the presentation to City staff so they can give the presentation to other groups if appropriate.

- S. **Planning Commission/City Council Workshop #3. (D&B)** A workshop would be held to review the community feedback and discuss the alternatives with the Planning Commission and City Council. Commission and Council feedback will help inform work on the Preferred Plan in Task 6.

*Meetings: City Staff Workshop on Preliminary Alternatives
General Plan Review Committee Meetings #2 and #3
Community Workshop #2
Special Community Meetings (2)
Presentation to Key Citizen Groups (two to three groups in one day)
Planning Commission/City Council Workshop #3*

*Products: Smart Growth Development Examples Booklet
Best Practices Memorandum
Travel Demand Forecast/Alternatives Analysis Working Paper
Fiscal Analysis Technical Memorandum (OPTIONAL)
Infrastructure Analysis Memorandum
Sustainability Indicators Memorandum
Alternative Plans Workbook
Alternatives Presentation (can also be used by City staff at other meetings)
Newsletter #3: Alternative Plans*

TASK 5: PREFERRED PLAN AND POLICY FRAMEWORK

The objective of Task 5 is to create a land use and circulation plan based on the decision-maker feedback public feedback on the alternative, and to begin identifying new policy initiatives to implement the Preferred Plan concept. Depending on the input, this Preferred Plan may represent a hybrid of the alternatives, closely reflect a single alternative, or integrate new ideas generated by the public process.

A preferred plan will be prepared, along with key policies that form the core of the General Plan. Potential policies related to green building, recycled water, and other sustainable development issues will be introduced. A table of existing General Plan policies will identify policies to be retained, revised, or deleted. A preliminary phasing plan will also be drafted and discussed.

- A. **Preferred Plan and Policy Framework (D&B, Omni Means, with review by EPS).** Following the Planning Commission/City Council Alternatives Workshop (Task 4), a preliminary Draft Preferred Plan map and corresponding data on land use, population, and employment changes will be prepared for City staff review. After confirming the preferred plan scenario with staff (or modifying it based on staff comments), we will prepare a Draft Preferred Plan, which will include the Draft Preferred Plan map, a development vision statement, table(s) quantifying land use and buildout, and a series of key policies and objectives that will guide detailed policy development. The entire consultant team will hold a half-day

working session to craft the preferred plan, so that expertise and conclusions for all key topics are integrated into the preferred plan.

For the Preferred Alternative, Omni-Means will prepare forecasts for AM and PM peak hours at up to 25 intersections and daily traffic forecasts at up to 25 roadway segments. These traffic forecasts will be used for Levels of Service analysis, and evaluation of other environmental impact performance measures, including for air quality and noise analyses. The specific transportation impact analysis will be performed under Task 6 and be incorporated into the Transportation Section of the Draft EIR.

Omni-Means will also work with D&B and City staff to develop a draft Circulation Diagram for the Preferred Plan. Omni-Means will review the existing circulation diagram and propose circulation improvements (consistent with the City's Capital Improvements Program (CIP) to fit the City's future needs), based on the forecasts prepared for the alternatives.

Based on the Economic Analysis (Task 3), findings of the public outreach phase, the goals of the City's Strategic Plan, and data provided in the background report,

D&B will create a list of key recommended economic development policies for the policy framework. EPS will review these policies, and assist in refining them as needed based on its understanding of market and economic dynamics as well as experience with economic development policy work on other recent general plan efforts.

- B. **Infrastructure Analysis (PP).** Provost & Pritchard will use the existing conditions data on water, sewer, and stormwater infrastructure to qualitatively assess impacts on each system posed by the Preferred Plan. The analysis will include such items as extent or complexity of required utilities, ability to phase implementation of the utilities, ability of the City to provide the required future water demands, ability of the City to treat the future wastewater flows, or other issues. This will be a short qualitative-level evaluation of the utilities.
- C. **General Plan Policies Evaluation (D&B).** Using the policy matrix developed in Task 2, D&B will outline recommendations for all existing General Plan policies. Policies may be retained, revised, or deleted. A comments column would explain the recommendations in more detail where needed.
- D. **Sustainability Policies (D&B, Urban Green).** Develop potential policies related to sustainable development that could be integrated into the General Plan for consideration by City staff and decision makers. Sustainable development policies would cover items such as: resource conservation (energy and water), green building, water treatment and reuse, low impact development and related stormwater provisions, solid waste, increased mobility and reduced VMT, A range of options would be presented, and the cost and administrative implications would be discussed in a memo format.

- E. **City Staff Meeting. (D&B, Omni Means)** The consultants will meet with senior City staff to review the Preferred Plan, policy framework, General Plan policies evaluation, and phasing alternatives. The documents will be revised to reflect City staff comments.
- F. **General Plan Review Committee Meeting #4 (D&B).** Present the preferred plan to the committee and obtain input. Revise the plan if necessary prior to presentation to the City Council.
- G. **Newsletter #4 (D&B).** Communication with the community will continue with the fourth newsletter. This insert will highlight the Draft Preferred Plan, explain how it reflects the community's input, and invite people to the Planning Commission/City Council workshop to share their opinions.
- H. **Phasing Alternatives (D&B, OM).** Phasing recommendations and alternatives will be prepared for the Preferred Plan. Phasing alternatives will address which geographic areas should be developed first, and the logical sequencing of master plans in each of the City's future growth areas. The phasing alternatives will take into account factors such as: logical and cost-effective phasing of utilities infrastructure; development phasing and thresholds related to major transportation improvements; and potential environmental impacts and mitigations. A Draft Phasing Plan will be prepared based on an evaluation of the alternatives, following consultation with decision-makers and City staff.
- I. **City Staff Meeting. (D&B)** The consultants will meet with senior City staff (on the same day as the General Plan Review Committee meeting) to review the phasing alternatives. The documents will be revised to reflect City staff comments.
- J. **Planning Commission/City Council Workshop on Draft Preferred Plan #4. (D&B)** At a workshop we will present the Draft Preferred Plan and policy implications, and provide feedback on comments received at prior meetings. The decision-makers will discuss the Preferred Plan concept and give additional input to the project team on the Draft Preferred Plan, the Phasing Alternatives, and new core policies.
- K. **Stakeholder Follow-Up Meetings (D&B).** Follow-up meetings with key stakeholders will be held to discuss the preferred plan, phasing plan, and any other unresolved issues related to the preferred plan. This could involve a few City Council and Planning Commission members, and key affected stakeholders such as landowners, and/or other key community members. A maximum of four meetings on one day is assumed. City staff would also attend.

*Meetings: City Staff Meeting
General Plan Review Committee #4
Planning Commission/City Council Workshop #4
Stakeholder Follow-Up Meeting Related to Phasing*

*Products: Draft Preferred Plan, Policy Framework, and Phasing Alternatives
Sustainable Development Policies Memo
Newsletter #4: Draft Preferred Plan*

TASK 6: DRAFT GENERAL PLAN

When drafting the new General Plan, we will strive for brevity and clarity that enables all interested persons to tell easily what commitments Visalia is making, what it hopes to accomplish, and whether a proposed project is consistent with the vision of the General Plan.

- A. **Outline and Format “Mock-up” (D&B).** We will prepare an outline of the General Plan, including a list of figures and diagrams and a recommended format to discuss with City staff. Topics to be covered in each element will be identified, and a “mock-up” section will be prepared to illustrate the look of the Plan elements.
- B. **Administrative Draft Plan (D&B).** We will prepare the Administrative Draft General Plan for staff review. This document will include summary background information, guiding and implementing policies, and monitoring and evaluation requirements. The Plan will include an introductory section with statistics on Plan buildout, population, housing and jobs by type as well as the projected jobs/housing ratio. D&B will prepare an Administrative Draft of the policies for City staff review, in word format. With the benefit of City staff comments, Dyett & Bhatia will prepare and submit one unbound copy of the Administrative Draft to City staff, and receive one consolidated set of comments in return which will be incorporated into the Hearing Draft. Individual Plan elements will include:
- **Land Use Element (D&B).** The Land Use Element will establish a system of land use classifications, identify the location and intensity of uses, and provide policies that would result in development that is appropriate to the character and setting of Visalia. The Land Use Element will address:
 - Land use classifications with density/intensity standards;
 - Buildout population and development;
 - Growth management and jobs/housing balance;
 - Specific geographic areas which may require master planning, such as infill growth areas and new neighborhood;
 - The character and density of new neighborhoods and expansion areas of the City;
 - Infill opportunity sites and revitalization efforts within the City;
 - Economic Development and opportunity sites; and
 - Regional issues, including coordination with the County and the San Joaquin Valley Blueprint.
 - **Circulation Element (D&B, with Omni Means).** The Circulation Element will be updated to address existing and buildout conditions for the various travel modes: driving,

bicycle, pedestrian, and transit. Alternative mobility solutions, in concert with the Land Use Element, will be documented to include the City's compact growth and sustainable design direction. Application of smart growth principles will be integral to the Circulation Plan and its policies. Omni-Means will prepare a recommendations memorandum, including recommended street improvements/classifications and recommendations related to circulation policies, including application of appropriate smart growth principles, and D&B will write the Circulation Element. Omni Means will base its work on initial meetings regarding confirmation of the current goals, objectives and policies of the Circulation Element and the technical research completed for the Existing Conditions Report. The analysis conducted earlier tasks will be summarized in text, tables, and figures to explain the proposed Circulation Element of the General Plan document and supporting technical evaluation and recommendations. Recommended circulation improvements and other changes will be incorporated. The Circulation Element will also include a thorough discussion of the planned transportation system in growth areas and connections to existing neighborhoods, schools, parks, and shopping areas. The following topics will be addressed:

- Roadway system with operations and levels of service and street design standards;
 - Transportation demand management and traffic calming;
 - Transit services, including bus, High Speed Rail, or any other potential regional rail service;
 - Pedestrian network;
 - Bicycle network;
 - Parking facilities;
 - Goods movement, such as truck routes and freight rail;
 - Aviation services;
 - Regional coordination and compliance.
- **City Design (Element) (D&B).** This section will update the existing City Design Element with policies and implementation programs related to city and neighborhood form, streetscape design, scenic highways, gateways, neighborhood design character, and other urban design topics. Strategies and policies relating to City Design may be a separate element or incorporated into the Land Use Element.
 - **Open Space, Parks, and Recreation Element (D&B).** This element will address the provision of open space, parks and recreation facilities.
 - Open space system, including types of open space and their functional relationships and an open space action program; and
 - Recreation facilities, including sports fields and indoor recreation facilities.
 - **Noise Element (D&B, J&S).** This element will address existing and future noise from various sources within the Planning Area, including standards for noise exposure for the different land uses. ICF Jones & Stokes will review the Noise Element prepared by Dyett & Bhatia.
 - **Safety Element (D&B).** The Safety Element will be updated to address changed conditions and regulations for each of the following topics:

- Emergency management and response capabilities, with evacuation routes and signage;
 - Hazardous waste;
 - Flooding and dam inundation;
 - Geotechnical and seismic hazards;
 - Wildland and urban fire hazards; and
 - Other topics as necessary, such as agricultural spraying and electromagnetic fields.
- ***Conservation, Air Quality and Greenhouse Gas Emissions Element (D&B).*** The policies will cover:
 - Agricultural uses, soils, and the conversion of agricultural land to urban uses;
 - Biological resources such as habitat and special-status species, and the preservation and enhancement of trees and landscaping;
 - Water resources including watershed protection, water quality, and conservation;
 - Energy use and conservation; and,
 - Air quality including ambient air quality trends, adopted air quality plans, and air quality improvement strategies;
 - Data and policies related to greenhouse gas emissions and climate change. This section may reference policies in other chapters, since greenhouse gas emissions relate to land use, circulation, energy uses, and other topics.
 - Mineral resources (if any)
 - ***Community Facilities and Public Services (D&B, review by PP).*** This element will update policies and standards for community facilities and services, as necessary based on existing conditions and future need. Standards for service provision, equipment, and infrastructure will be incorporated, based on existing master plans and/or research of standards in comparable cities. Policies related to environmental justice—a state mandate that must be addressed in general plans—could also be included in this Element. This element will also cover civic and cultural facilities, historic preservation and scenic highways.
 - Public schools;
 - Public infrastructure plans, including stormwater management, wastewater systems, and water supply and distribution;
 - Solid waste management;
 - Public safety services, including police services, fire prevention and protection;
 - Libraries;
 - Civic and cultural facilities, including community centers; and
 - Historic Preservation and cultural resources.
 - ***Implementation Program (D&B, Team).*** The Implementation Program will outline the major General Plan initiatives to be accomplished over the next 20 years and how they can be carried out over time. The implementation program for the General Plan will include an overview of needed amendments to the City’s zoning and subdivision regulations, building and housing codes, capital improvement programming and fee structures. Implementation policies will be woven into the Plan document, so that policies are all grouped according to topic. In the Implementation Program, summary tables of plan implementation actions will be included. In addition, the Implementation

- Program will include a phasing plan for annexations, showing a logical sequence of master plans in the growth areas that takes into account phasing of utilities.
- C. **City Staff Review Meeting (D&B).** After all of the policies for the Draft General Plan have been prepared, they will be distributed to the City staff for review and comment, with new policy initiatives highlighted. Staff will identify initiatives or identify specific refinements they would like included prior to releasing the Draft Plan for Public Review. Key issues will be discussed in one day of meetings with City staff from all city departments. Substantive changes will be made in consultation with City Staff and a Public Review Draft prepared.
 - D. **General Plan Review Committee Meetings #5 and #6. (D&B)** The draft chapters of the General Plan will be reviewed with the General Plan Review Committee over the course of two meetings. Review efforts will focus on issues that have been controversial or that involve major policy choices. The General Plan Committee will not be asked to wordsmith the entire text of the document, but rather to focus on key policies and maps that are the most substantive aspects of the General Plan. Revisions to key policies and maps will be made if necessary prior to publication of the Public Review Draft.
 - E. **General Plan Summary (Newsletter #5) (D&B).** A General Plan Summary will be prepared showing the land use map and major policies for different topics. The summary will show how the policy recommendations respond to the community input. The General Plan Summary will be formatted to be a fifth newsletter, so that it can be mailed.
 - F. **Community Meeting #4. (D&B)** We will present salient features of the General Plan to the community in an “open house” format – after a presentation, members will be invite to ask questions and offer comments at stations. We will also present information about the Draft EIR and the adoption process.

*Meetings: City Staff Meeting (full day, multiple departments)
General Plan Review Committee Meetings #5 and #6
Community Meeting #4*

*Products: General Plan Outline
General Plan Policy Summary for Staff Review (50 bound copies, one unbound copy, one CD-ROM)
Administrative Draft General Plan
Draft General Plan for Public Review
Draft General Plan for Public Review – revised as necessary to reflect General Plan Review Committee comments
General Plan Summary (Newsletter #5)*

TASK 7: DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT

The objective of this task is to complete a programmatic environmental assessment of the Draft General Plan, pursuant to the California Environmental Quality Act (CEQA). Necessary noticing and scoping will occur early in the project, and a Program EIR will be prepared in parallel with preparation of the draft elements. Potentially significant impact issues will be identified early in

the process so that appropriate mitigation policies can be developed and incorporated into the new elements, resulting in a “self-mitigating” policy structure to the extent possible.

- A. **Notice of Preparation and Scoping Meeting. (D&B)** Dyett & Bhatia will prepare a Notice of Preparation (NOP) for the Draft EIR. CEQA does not require an Initial Study if it is a foregone conclusion that an EIR is required. Furthermore, we will have a broad understanding of the topics to address in the EIR as a result of the intensive planning process. City staff will be responsible for distributing the NOP to the appropriate agencies and establishing a time and place for the Scoping Meeting. The scoping meeting can be conducted as a public workshop, or at a meeting of the Planning Commission. We will participate with City staff in the scoping meeting and make notes of comments made.
- B. **Environmental Setting and Impact Analysis.** The Existing Conditions and Issues Report prepared in Task 3 will serve as the starting point for the environmental setting information in the Draft EIR. Additional data will be gathered from available sources, such as previous EIRs, facility plans, and regional programs.

We will then analyze how policies and Plan buildout will affect the environment, identify significant impacts, and recommend measures to mitigate those impacts. The impact analysis will be comprehensive in scope, covering all CEQA requirements. Significance criteria will be identified for each impact topic, based upon thresholds of significance established in consultation with City staff.

Impacts and mitigation measures will be organized and discussed by topic. As required by CEQA Guidelines, the effects of the project will be defined as changes from the environmental setting that are attributable to the project, under full buildout of the Draft Land Use Element. Maps, graphics, tables, and charts will be used to depict clearly the location and nature of any potential significant impacts identified in the EIR, and any other relevant information. Specific topic areas to be addressed in the EIR are summarized below:

- **Land Use (D&B).** Analyze sites where land use changes would occur under the project. Identify potential conflicts between existing and proposed uses, and determine alternative or supplementary policy mitigation measures that could minimize impacts.
- **Parks, Open Space, and Recreation Facilities (D&B).** Using level of service standards as significance criteria, assess the impacts of buildout conditions on use of existing parks, open space, and recreation facilities. Assess impacts of proposed additions to the City’s Parks and Open Space System.
- **Public Facilities and Services (D&B, with review by PP).** Assess the impact of proposed changes in the General Plan on public services, including public schools, police and fire protection. Contact each of the public service providers regarding their capacity to handle future growth in Visalia, and identify standards for new infrastructure required for growth. Water, wastewater, and storm drain impacts will also be studied, and the impacts of new development on the capacity of existing water, wastewater, and stormwater systems will be analyzed. The analysis will also consider the use of recycled water. The analysis will not include distribution and collection systems, pipe sizing, or proposed capital improvements. The adequacy of long-term water supplies will be ad-

dressed. For most water quality issues, mitigation measures are present in regulatory and review programs that are already in place. The EIR will identify these programs and the point at which they apply to different types of projects plus any additional mitigation required.

- *Water Supply Assessment (PP)* OPTIONAL. A water supply assessment report in support of the General Plan Update EIR can be provided at extra cost. Absent a formal Water Supply Assessment Report this task will only provide a general summary of the effect on water supply of land use changes being proposed and the potential for release of contaminants to groundwater and surface water. Mitigation of water quality issues will generally be addressed through regulatory and review programs now in place.
- **Traffic and Transportation (OM, D&B).** Omni-Means will prepare the circulation and transportation section of the EIR. Cumulative No Project and Cumulative Plus Project conditions will be forecasted from now to the future horizon year (2030). Future traffic forecasts will be derived from the TCAG City Travel Demand Model modified for the City. The analyses will consider roadway daily conditions and intersection weekday AM and PM peak hour conditions. For this section, the peak hour forecasts at up to 25 intersections and daily traffic forecasts at up to 25 roadway segments for the Preferred Alternative prepared in Task 5 will be analyzed for potential traffic impacts and for which, if necessary, mitigation measures identified. Performances measures relating to AB32 and SB375, including net new vehicular trip generation and vehicle miles of travel, will also be evaluated as well as provide inputs to other environmental analyses, including air quality and noise. The analysis will include circulation alternatives for:
 - Existing circulation network
 - With planned circulation improvements (No Project and three alternatives).

Transportation impacts associated with the alternative travel modes, including airports, railroad, transit, trucks bicycles and pedestrians will be identified.

- **Biological Resources (J&S).** Assess the potential for impacts to special status species at buildout. Describe the potential impacts to biological resources related to land uses that may permanently impair or preclude resource development. Identify alternative or supplementary policy mitigation measures that could minimize impacts to biological resources. J&S will utilize the California Natural Diversity Database and literature search, interviews with state and federal regulatory staff, and other organizations to identify biological resources (special status species and habitats) with the potential to occur in the project study area. No protocol level field surveys for special status plant and wildlife species are included as part of this scope of work.
- **Air Quality (J&S).**
 - Based on information in the existing conditions report, ICF Jones & Stokes' air quality specialists will evaluate air quality impacts associated with goals, objectives, and policies established within the proposed Visalia General Plan Update. The air quality analysis will focus predominantly on vehicular emissions of ozone precursors (reactive organic gases and nitrogen oxides), inhalable particulates (PM10 and PM2.5), and carbon monoxide (CO) resulting from the proposed Visalia General

Plan Update. As part of the analysis, we will identify construction-related mitigation measures that are required by San Joaquin Valley Air Pollution Control District (SJVAPCD). Our methodology will use procedures described in the SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts.

- Based on the results of the traffic modeling ICF Jones & Stokes will assess the consistency of the Draft Elements with the regional Clean Air Plan with reference to population and employment forecasts as well as trends in vehicle miles traveled (VMT). ICF Jones & Stokes will also work with D&B and Urban Green to qualitatively assess the capability of policies of the Draft Elements, including the new Air Quality Element, to prevent exposure of people to substantial sources of construction dust, toxic air contaminants, or odorous emissions.
 - Thresholds of significance will be discussed and defined, based on SJVAPCD standards. Where significant impacts are identified, program-level mitigation measures will be identified and discussed. It is expected that, to the extent feasible, potential air quality impacts will be mitigated by policies, programs, or objectives developed as part of the proposed Land Use and Circulation Elements.
- **Noise (J&S).**
 - ICF Jones & Stokes will evaluate noise impacts associated with new or revised goals, objectives, and policies within the updated general plan noise element. The noise impacts associated with up to three build-out alternatives and a no-project alternative will be evaluated at a program-level of assessment.
 - In the setting section existing noise regulations and planning guidelines will be summarized. The existing noise environment in the county will be described using data and information developed for the updated existing conditions report.
 - In the impact section thresholds of significance based on city noise standards will be discussed and defined. Projected traffic, rail, and aircraft noise conditions and related noise impacts associated with a future no project condition and the adoption of up to three build alternatives will be evaluated. ICF Jones & Stokes will determine projected traffic and rail noise levels conditions using applicable models and operational data to be provided by the City. Traffic noise for the no project condition and up to three build alternative will be evaluated at a program level along up to 30 roadway segments using the FHWA Traffic Noise Model (TNM) version 2.5 and average daily traffic volume and speed data to be provided by the project transportation consultant. This scope assumes that projected aircraft noise contours will be available from previous studies.
 - Where significant noise impacts are identified program level mitigation measures will be identified and discussed. However, it is expected that, to the extent feasible, potential impacts will be mitigated by policies, programs, or objectives developed as a part of the Noise Element. The EIR section will describe the types of noise sources that would be associated with development under the General Plan Update and qualitatively assess the adequacy of policies to avoid future noise incompatibility for existing and future land uses.
 - **Seismic and other Geologic Hazards (D&B).** Describe existing seismic and geologic hazards and evaluate impacts related to the General Plan Update; identify mitigation measures if Plan policies are not sufficient.

- **Hydrology and Water Quality (J&S).** The EIR section will discuss the hydrological setting of the City, including its position within the regional watershed system. The EIR will address existing conditions, the potential for impacts, and any necessary mitigation related to hydrology, flooding, and water quality. The EIR will identify significance thresholds based on City guidance and State CEQA Guidelines. Based on these thresholds, we will identify impacts associated with implementation of the General Plan Update, and design feasible mitigation measures to avoid, reduce, or eliminate these impacts. The level of significance associated with each impact will be clearly identified both prior to and following mitigation. It is expected that, to the extent feasible, potential impacts will be mitigated by policies, programs, or objectives developed as a part of the Environmental Resources Management Element. The EIR will address the potential for increased runoff as a result of buildout of the General Plan, and any related impacts to drainage systems in the City and downstream, such as the potential for increased flooding. Risks to people or structures as a result of construction within the FEMA floodplains will be addressed. The EIR will also identify any potential impacts related to water quality as a result of General Plan buildout. This qualitative analysis will consider sources and types of pollutants based on the proposed land uses. Conclusions from the assessment of water supply and availability prepared for General Plan buildout by Provost and Pritchard will be incorporated into the evaluation of potential impacts on groundwater and surface water resources. Impacts both within the City and downstream will be addressed, and feasible mitigation measures will be developed to reduce impacts below significance thresholds.
- **Safety and Hazardous Materials (D&B).** Review available database information on location and transport of hazardous materials. Discuss the general constraints that contaminated soils and groundwater may pose to development and all applicable federal, state, and local regulations with regard to contamination management and clean up. Identify and characterize areas at the urban fringe that are particularly vulnerable to the threat of fire. Identify fuel reduction methods and techniques consistent with protection of special status species and habitats. Identify any restrictions on land uses and intensities appropriate for areas identified as susceptible to fire hazard.
- **Cultural Resources (D&B).** Document any historic resources that are currently listed on the National Register of Historic Places and reference materials from the Directory of Properties, which is maintained by the State Office of Historic Preservation. Evaluate how the General Plan Update will affect or disrupt the preservation of historic, cultural, and archaeological resources. Evaluate Plan policies and recommend any additional feasible mitigation measures that will avoid, reduce, or mitigate any impacts on historic and prehistoric cultural resources. The mitigation measures will identify appropriate implementation procedures, timing, responsible parties, and any necessary reporting procedures. This work does not include a citywide historic resources evaluation. As part of this task, D&B will conduct the notification and consultation with the Native American Historical Commission and with Native American tribes required under SB18. A maximum of one meeting with Native American representatives is included.
- **Visual Quality (D&B).** Apply significance criteria that have been derived from CEQA Guidelines, which include view obstruction, or degradation, creation of an aesthetically offensive site, impairment of an object having aesthetic significance, conflict with

adopted environmental plans and goals, or production of new light or glare. Assess how future development under the new elements may affect city view sheds, particularly views from public viewpoints (e.g. parks).

- **Climate Change (D&B, with Urban Green).** Evaluate the potential impacts of the General Plan update on greenhouse gas emissions (GHG) using the results of the travel demand forecasting models and buildout calculations for other potential sources of GHG and assess what policies and actions are included in the General Plan update that may directly or indirectly affect global warming and climate change. This will include an assessment of local actions that may be identified by the State through implementation of AB 32. Urban Green will provide input on potential policies and programs.
- C. **Mitigation Measures (Team).** During impact analysis, Dyett & Bhatia and team members will identify practical and feasible mitigation measures to reduce the environmental impacts of implementation of the Draft General Plan. We will also evaluate whether mitigation measures would reduce impacts below a level of significance, identify the parties who would be responsible for implementing each measure, and incorporate them as policies into the Plan.
- D. **CEQA-Required Impact Analysis (D&B).** As required by CEQA Guidelines, the following types of impacts need to be assessed, in addition to the detailed analysis of impacts, by topic area:
- Growth-Inducing Impacts (potential for the project to cause additional population or job growth, or housing demand);
 - Significant Environmental Effects of the Proposed Project (including significant unavoidable effects);
 - Significant Irreversible Environmental Changes; and
 - Effects Found Not to Be Significant.
- E. **Project Alternatives (D&B, with Team).** The alternatives considered in preparation of the Draft General Plan will be the basis for this section. It will also include analysis of the No Project Alternative. The relative merits and disadvantages of the alternatives will be assessed and compared with the proposed Elements, and an “environmentally superior” alternative will be identified. The alternatives analysis, as discussed in the CEQA Guidelines, may be less detailed than the analysis of the proposed project.
- F. **City Staff Meeting RE Mitigation Policies and Alternatives. (D&B)** Meet with city staff to discuss the major potential impacts and policies proposed in the General Plan to mitigate the impacts. Also discuss alternatives that will be analyzed.
- G. **Administrative Draft and Draft EIR. (D&B)** Dyett & Bhatia will submit one unbound copy of the Administrative Draft EIR for City staff review, and receive one consolidated set of comments in return. After a final screen check review by City staff, a final production version of the Draft EIR will be provided to the City for distribution. The City will be responsible for printing and distributing the Draft EIR.

- H. **Notice of Completion. (D&B)** We will prepare a Notice of Completion (NOC) for the Draft EIR. City staff will be responsible for distributing the NOC to the appropriate agencies.
- I. **City Staff Meeting RE Responses to Comments on the Draft EIR. (D&B, Team members if needed).** Meet with City staff to review comments received and proposed responses. Determine if city staff will contact
- J. **Administrative Draft Final EIR and Final EIR. (D&B, OM and J&S)** Following the 45-day public review period, we will prepare responses to comments. Omni Means will prepare response to comments for the Traffic and Transportation Section. Jones & Stokes will prepare response to comments for their respective sections. The Comments and Responses together with the Draft EIR will constitute the Final EIR. The document will be searchable and contain GIS constraint maps; Dyett and Bhatia could share final GIS shape files, if desired. This work program assumes that the changes needed to respond to public comments will not require a complete revision of the Draft EIR. One unbound copy of the Administrative Draft of the Final: Comments and Responses will be provided for City staff review, and the Final EIR then will be prepared based on one set of consolidate staff comments. Because we expect the General Plan to be “self-mitigating,” and any mitigation identified through the environmental review process to be incorporated into the final plan presented for Council action, a separate mitigation monitoring and reporting plan will not in all likelihood be required. The City will be responsible for printing and distributing the Final EIR. Dyett & Bhatia will also prepare a Notice of Determination for the Final EIR, which City staff will be responsible for distributing.

*Meetings: Scoping Meeting
City Staff Meetings (2)*

*Products: Notice of Preparation
Administrative Draft EIR (10 bound copies, one unbound copy, one CD-ROM)
Draft EIR (30 bound copies, one unbound copy, one CD-ROM)
Admin Draft Final EIR
Final EIR Response to Comments (40 bound copies, one unbound copy, one CD-ROM) Notice of Completion
Mitigation Monitoring and Reporting Program (if necessary)*

TASK 8: COMMUNITY REVIEW AND ADOPTION

The objective of this task will be to conduct the public review and successfully take the Draft General Plan and Program EIR through the public hearing process. The General Plan will be revised after adoption to reflect the Council’s decision.

- A. **Public Review.** There will be a six to eight week review period for the Draft Plan and EIR.
- B. **Public Hearings (three) (D&B, and Omni Means at one hearing).** We will present the Draft General Plan and Draft EIR at two Planning Commission Hearings. We will then prepare a summary of public comments on the Draft General Plan and the Final EIR

(which contains the response to comments on the Draft EIR), and present them at a City Council hearing.

- C. **City Staff Meeting (D&B).** Meet with City staff to discuss direction from the Planning Commission and City Council and final recommendations for revisions to the Draft General Plan.
- D. **Statement of Overriding Considerations (if necessary). (D&B)** If necessary, a statement of overriding considerations will be prepared to address significant environmental impacts that cannot be fully mitigated.
- E. **Notice of Determination. (D&B)** This will be prepared and filed with the State.
- F. **Mitigation and Monitoring Program. (D&B)** The potential environmental impacts will be addressed through policies in the General Plan; and the monitoring program will be addressed in the Implementation Program of the General Plan. However a mitigation and monitoring plan will be prepared if any further mitigation and monitoring program is required.
- G. **Final Public Hearing. (D&B)** D&B will assist City staff with presenting comments on the Plan and recommending any changes to the Plan, including the Land Use Diagram, based on public review. At this hearing, the City Council will certify the EIR, and take action on the General Plan.
- H. **Adopted General Plan.** Following adoption by the City Council, we will revise the Draft Plan, to incorporate specific text and diagram changes made by the City Council as part of adoption. After a final screen check review by City staff, a final production version of the Adopted Plan will be provided to the City for distribution.

*Meetings: Planning Commission Hearings (2)
City Staff Meeting
City Council Hearings (2)*

*Products: Statement of Overriding Considerations (if necessary)
Notice of Determination
"Screen Check" Draft of General Plan as Adopted
Adopted General Plan (40 bound copies, one unbound copy, one CD-ROM)*

OPTIONAL TASKS

Infrastructure Financing Strategy (EPS)

The General Plan Update will likely envision a new approach to City growth that differs from historical growth patterns. The Financing Strategy will identify any challenges associated with providing needed backbone infrastructure and public facility improvements to support the City's new vision for growth for the General Plan period. This document will also identify financing mechanisms available to fund major improvements for major backbone and public

facility improvements and evaluate the City's ability to fund capital improvements needed to provide the level of services envisioned by the General Plan Update.

Because the General Plan period spans decades, the Infrastructure Financing Strategy will not analyze specific cost estimates for improvements, but rather serve to help the City integrate its overall investment goals with the goals of the facility master plans required by General Plan Update policies. The Financing Strategy will identify potential improvement categories for which funding is not presently available and suggest approaches to resolve potential funding shortfalls. The Strategy will also discuss strategies for funding infill versus greenfield development.

Water Supply Assessment (PP)

A water supply assessment can be prepared to satisfy the requirements of SB 610 and study in detail the availability of water supply for future growth.

**Visalia General Plan
BUDGET BY TASK**

	Hourly Rate	Task 1 Reconnaissance, Organization, and Technical Work	Task 2 Community Visioning and Issue Identification	Task 3 Existing Conditions and Key Issues Analysis	Task 4 Alternatives and Evaluation	Task 5 Preferred Plan and Policy Framework	Task 6 Draft General Plan	Task 7 Draft and Final EIR	Task 8 Community Review and Adoption	TOTAL
Dyett & Bhatia										
Principal	\$200	\$12,000	\$24,000	\$28,000	\$40,000	\$24,000	\$46,000	\$38,000	\$22,000	\$234,000
Senior Associate	120	0	0	0	0	0	12,000	26,400	0	38,400
Associate	100	10,000	4,000	20,000	22,000	22,000	38,000	42,000	11,000	169,000
Graphic Manager/GIS	100	10,000	4,000	14,000	8,000	4,000	10,000	6,000	6,000	62,000
Planner/Urban Designer	95	9,500	9,500	22,800	20,900	17,100	36,100	41,800	0	157,700
Senior Graphic Designer	95	0	0	0	4,750	5,700	9,500	0	7,600	27,550
Graphic Designer	80	4,000	3,200	6,400	0	0	0	6,400	0	20,000
Project Associate	65	2,600	2,600	2,600	2,600	2,600	2,600	5,200	2,600	23,400
Direct Costs - Travel, Printing, Mailing		400	1,400	800	1,200	800	1,000	1,200	1,200	8,000
Sub-Total		\$48,500	\$48,700	\$94,600	\$99,450	\$76,200	\$155,200	\$167,000	\$50,400	\$740,050
Omni Means										
M. Inouye	\$200	\$2,400	\$0	\$2,400	\$4,800	\$2,400	\$800	\$1,600	\$600	\$15,000
G. Mills	149	2,384	298	4,768	9,536	8,940	2,980	7,152	447	36,505
L. Wallis	140	560	0	3,360	0	2,800	560	2,240	0	9,520
K. Vedula	117	0	0	0	7,020	4,680	936	2,808	0	15,444
D. Mills	107	3,424	0	8,560	7,704	7,704	856	7,918	0	36,166
J. Schmal	62	992	0	2,976	3,472	3,968	0	3,224	0	14,632
C. Ferguson	59	944	0	1,416	1,888	1,888	0	4,012	0	10,148
Traffic Counts		9,500		250		250		500		10,500
Sub-Total		\$20,204	\$298	\$23,730	\$34,420	\$32,630	\$6,132	\$29,454	\$1,047	\$147,915
Urban Green										
Principal	\$225	\$0	\$0	\$12,150	\$15,750	\$8,100	\$0	\$0	\$0	\$36,000
Direct Cost										0
Sub-Total		\$0	\$0	\$12,150	\$15,750	\$8,100	\$0	\$0	\$0	\$36,000
EPS										
Principal	\$245	\$1,960	\$4,410	\$6,860	\$2,940	\$490	\$0	\$0	\$0	\$16,660
Vice President	195	1,560	3,900	15,600	3,900	780	0	0	0	25,740
Associate	130	0	520	7,280	3,900	0	0	0	0	11,700
Production Staff	75	0	0	900	300	0	0	0	0	1,200
Direct Cost		250	270	360	230					1,110
Sub-Total		\$3,770	\$9,100	\$31,000	\$11,270	\$1,270	\$0	\$0	\$0	\$56,410
Provost & Pritchard										
Principal Engineer	\$160	\$2,880	\$0	\$4,320	\$1,600	\$1,920	\$1,760	\$2,240	\$0	\$14,720
Senior Engineer	130	0	0	0	1,170	910	0	650	0	2,730
GIS Specialist	110	880	0	2,530	1,100	0	0	1,100	0	5,610
Staff Engineer	100	0	0	3,800	0	0	0	900	0	4,700
Senior Planner	120	0	0	0	0	0	0	480	0	480
Planner	100	0	0	0	0	0	0	900	0	900
Administrative Assistant	60	480	0	960	540	480	480	360	0	3,300
Direct Cost										0
Sub-Total		\$4,240	\$0	\$11,610	\$4,410	\$3,310	\$2,240	\$6,630	\$0	\$32,440
ICF Jones & Stokes										
Project Director	\$180	\$2,160	\$0	\$2,880	\$0	\$0	\$1,440	\$3,600	\$0	\$10,080
Senior Consultant II	131	0	0	2,088	0	0	0	2,088	0	\$4,176
Senior Consultant I	122	0	0	10,085	0	0	0	5,832	0	\$15,917
Associate Consultant III	113	0	0	4,725	0	0	0	2,925	0	\$7,650
Associate Consultant II	104	0	0	15,111	0	0	0	9,936	0	\$25,047
Associate Consultant I	95	0	0	5,670	0	0	0	5,670	0	\$11,340
Publications Specialist	72	0	0	1,440	0	0	0	1,440	0	\$2,880
Direct Cost		110		330				110		\$550
Sub-Total		\$2,270	\$0	\$42,329	\$0	\$0	\$1,440	\$31,601	\$0	\$77,640
Mountain West Research										
										\$10,000
Printing Costs										
										\$28,750
TOTAL FEE		\$78,984	\$58,098	\$215,419	\$165,300	\$121,510	\$165,012	\$234,685	\$51,447	\$1,129,205
OPTIONAL TASKS										
Fiscal Analysis										6,740
Infrastructure Financing Strategy										19,875
Water Supply Assessment (SB610)										30,000

Direct costs in the project budget include reimbursable expenses, including but not limited to: air or auto travel, hotel, parking, car rental, meals during out-of-town travel, printing, mailing, and other similar expenses.

Hourly rates may be adjusted during the course of the contract, but the total amount shall not change.

Additional services beyond those identified in the scope of work will be provided at the market billing rates of the firm at the time the additional services are requested.

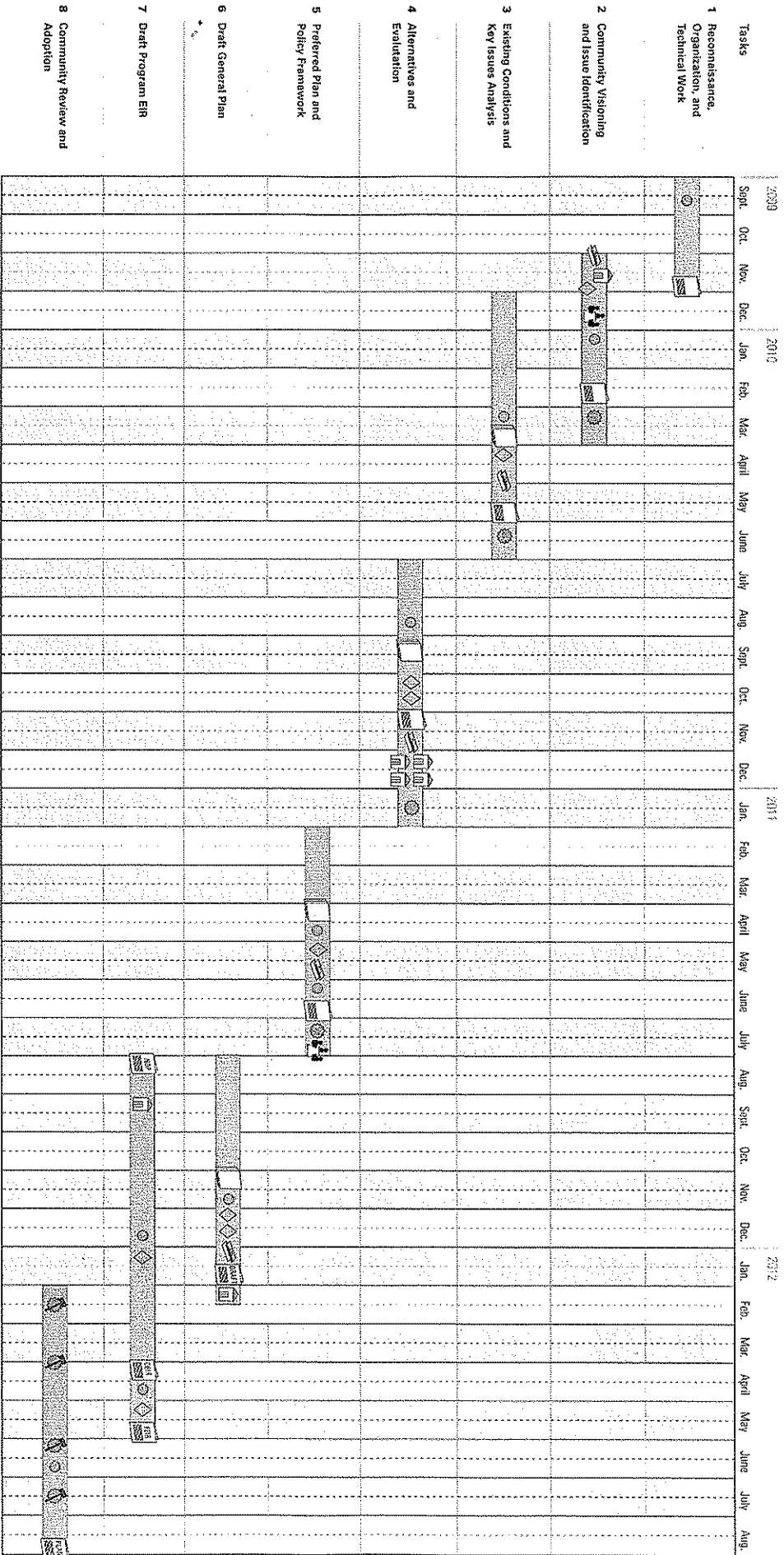
Dyett & Bhatia reserves the right to reallocate budget between various consulting team members and between tasks, provided the overall project budget does not change.

Visalia General Plan
HOURS BY TASK

	<i>Task 1</i>	<i>Task 2</i>	<i>Task 3</i>	<i>Task 4</i>	<i>Task 5</i>	<i>Task 6</i>	<i>Task 7</i>	<i>Task 8</i>	TOTAL
	<i>Reconnaissance, Organization, and Technical Work</i>	<i>Community Visioning and Issue Identification</i>	<i>Existing Conditions and Key Issues Analysis</i>	<i>Alternatives and Evaluation</i>	<i>Preferred Plan and Policy Framework</i>	<i>Draft General Plan</i>	<i>Draft and Final EIR</i>	<i>Community Review and Adoption</i>	
Dyett & Bhatia									
Principal	60	120	140	200	120	230	190	110	1170
Senior Associate						100	220		320
Associate	100	40	200	220	220	380	420	110	1690
Graphic Manager/GIS	100	40	140	80	40	100	60	60	620
Planner/Urban Designer	100	100	240	220	180	380	440		1660
Senior Graphic Designer	-			50	60	100		80	290
Graphic Designer	50	40	80	-	-		80		250
Project Associate	40	40	40	40	40	40	80	40	360
Sub-Total	450	380	840	810	660	1,330	1,490	400	6360
Omni Means									
M. Inouye	12		12	24	12	4	8	3	75
G. Mills	16	2	32	64	60	20	48	3	245
L. Wallis	4		24		20	4	16		68
K. Vedula				60	40	8	24		132
D. Mills	32		80	72	72	8	74		338
J. Schmal	16		48	56	64		52		236
C. Ferguson	16		24	32	32		68		172
Sub-Total	96	2	220	308	300	44	290	6	1266
Urban Green									
Principal			54	70	36				160
Sub-Total	-	-	54	70	36	-	-	-	160
EPS									
Principal	8	18	28	12	2				68
Vice President	8	20	80	20	4				132
Associate		4	56	30					90
Production Staff			12	4					16
Sub-Total	16	42	176	66	6	-	-	-	306
Provost & Pritchard									
Principal Engineer	18		27	10	12	11	14		92
Senior Engineer				9	7		5		21
GIS Specialist	8		23	10			10		51
Staff Engineer			38				9		47
Senior Planner							4		4
Planner							9		9
Administrative Assistant	8		16	9	8	8	6		55
Sub-Total	34	-	104	38	27	19	57	-	279
ICF Jones & Stokes									
Project Director	12		16			8	20		56
Senior Consultant II			16				16		32
Senior Consultant I			83				48		131
Associate Consultant III			42				26		68
Associate Consultant II			146				96		242
Associate Consultant I			60				60		120
Publications Specialist			20				20		40
Sub-Total	12	-	383	-	-	8	286	-	689
TOTAL HOURS	574	424	1673	1254	1002	1382	2066	406	8781

Schedule

Visalia General Plan Update and Program EIR



DYETT & BHATTIA
Urban and Regional Planners

- Consultant Effort
- General Plan Review Committee Meeting
- Interim Product
- City Staff Meeting (Major Milestone)
- Final Product
- Planning Commission/City Council Meeting
- Stakeholder Interviews
- Newsletters
- Community Meeting/Workshops
- Public Hearing

ACTION

PLANNING COMMISSION AGENDA

CHAIRPERSON:
Lawrence Segrue



VICE CHAIRPERSON:
Adam Peck

COMMISSIONERS PRESENT: Lawrence Segrue, Terese Lane, Adam Peck, Roland Soltesz, Vincent Salinas

MONDAY DECEMBER 14, 2009; 7:00 P.M., CITY HALL WEST, 707 WEST ACEQUIA, VISALIA CA

- | | |
|--------------|--|
| 7:00 TO 7:00 | 1. THE PLEDGE OF ALLEGIANCE |
| 7:00 TO 7:02 | 2. CITIZEN'S REQUESTS - The Commission requests that a 5-minute time limit be observed for requests. Please note that issues raised under Citizen's Requests are informational only and the Commission will not take action at this time. |
| 7:02 TO 7:02 | 3. CITY PLANNER AGENDA COMMENTS –The close of the 10-day appeal period for all items is December 28, 2009, due to City offices being closed on December 24-25. |
| 7:02 TO 7:02 | 4. CHANGES TO THE AGENDA – No Changes |
| 7:02 TO 7:02 | 5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda. |
| 7:02 TO 7:26 | 6. PUBLIC HEARING– Brandon Smith |
| 7:26 TO 7:55 | 7. PUBLIC HEARING – Paul Bernal |
- Webelos Pack 321 presented the Commissioners with a thank you card.

No Consent Calendar items

Approved as recommended (Peck, Salinas)4-1 Soltesz voted no

Open: 7:10
Close: 7:12

Spoke:
1. Joseph Delucia

Approved with condition No. 16 amended to allow a second entrance if addressed in security plan.(Peck, Lane) 5-0

Break:
7:35-7:40

Open: 7:45
Close: 7:48

Spoke:
1. Steve Siler

7:55 TO 8:18

8. PUBLIC HEARING – Paul Bernal

Approved as
recommended
(Salinas, Soltesz)
5-0

Conditional Use Permit No. 2009-45: A request by Dr. Barnes, D.D.S., to allow a general and oral surgery dentistry practice within in existing 3,000 sq. ft. tenant space located at 2626 South Mooney Boulevard. The site is zoned C-R (Regional Retail Commercial). (APN: 122-011-001)

Open: 7:59
Close: 8:04
Spoke:
1. Robby Antoyan
2. Binesh Behrouz

8:18 TO 8:21

9. PUBLIC HEARING – Paul Scheibel

Motion to continue
to January 25,
2010, was
approved (Soltesz,
Peck) 5-0

General Plan Amendment No. 2009-03: A request by the City of Visalia to update the General Housing Element, Citywide.

8:21 TO 8:45

10. DIRECTOR'S REPORT/PLANNING COMMISSION DISCUSSION:

- Planning Services Manager, Paul Scheibel updated the Commissioners on; Planners Institute in March, Fencing for the Sports Park, Division Staffing, Sr. Engineer Ken McSheehy retiring after 30 years service to the City, GP Update Committee meeting 12/17/09 at the Transit Center, Status of retention of Commission Members, and nominations for Chair and Vice Chair in January.

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

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

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JANUARY 25, 2009
CITY HALL COUNCIL CHAMBERS, 707 WEST ACEQUIA**

8:45 TO 8:45
Motion to Adjourn (Lane, Soltesz)5-0

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 14, 2009

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

Agenda Item Wording: Authorization to bid the public improvements for the Island Annexation Sewer ("Birdland") which is located west of Giddings Avenue and east of Conyer Street (between Sunnyview Avenue and Riggins Avenue) without the requirement for the payment of prevailing wages pursuant to Resolution #83-02 (Project No. 4311-00000-720000-0-9783)

Deadline for Action: None

Submitting Department: Community Development Department/
Engineering Division

Contact Name and Phone Number:

Chris Young, Assistant Community Dev. Director - 713-4392
Adam Ennis, Engineering Services Manager - 713-4323

Department Recommendation: Staff is recommending that the City Council authorize this project to be bid without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02.

Summary: The City 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 plans to use locally generated Sanitary Sewer user fees and rates for collection and disposal of wastewater funds to finance this project. Should funding (such as Federal Stimulus funds) that requires the payment of prevailing wages become available in the future for any portion of the sewer system improvements those improvements will be bid and constructed in accordance with the funding requirements.

Background: The City annexed this area into the City Limits on December 01, 2006. When an area is annexed into the City, the City tries to provide sanitary sewer services to all the existing lots when funding and sewer trunkline facilities become available. The residents of this particular area (177 existing houses) do not currently have City sewer service and have been having trouble with their existing septic systems. We have received numerous requests from residents in the area to provide them with City sewer service. The current individual sewer connection fee would be \$6518 (sewer laterals are being installed up to the right-of-way line for each lot as part of this project). Currently, there is \$338,758 in the budget for these improvements.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 5

Review:

Dept. Head _____
(Initials & date required)

Finance 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.

Prior Council/Board Actions: Council gave approval to annex this area of the City on July 17, 2006.

Committee/Commission Review and Actions: None

Alternatives: Require the contract to be advertised as a prevailing wage project.

Attachments: Vicinity Map

Recommended Motion (and Alternative Motions if expected):

Move that City Council authorize city staff to advertise this project without the requirement of paying prevailing wage rates pursuant to Resolution #83-02 (Project No. 4311-00000-720000-0-9783).

Environmental Assessment Status

CEQA Review: Categorical Exemption completed

NEPA Review: Not required

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

Copies of this report have been provided to:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 21, 2009

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

Agenda Item Wording: Second Reading and Adoption of Ordinance 2009-06 for Change of Zone No. 2008-03 and Conditional Zoning Agreement (CZA) 2009-01: A request by Paul Ridenour and Greg Nunley to change the zoning designations from R-1-6 (Single-Family Residence, 6,000 sq. ft. minimum lot size) and R-M-3 (Multi-family Residential; 1,500 sq. ft. minimum site area per unit) to P-C-SO (Planned Shopping/Office Commercial), P-PA (Planned Professional/Administrative Office), and R-M-3 (Multi-family residential zone, 1,500 sq. ft. minimum site area per unit) on 19.93 acres. The site is located generally on the southwest corner of Demaree Street and Houston Ave. APNs: 077-660-001,-002,-003,-018; 077-090-012,-015,-016 and -017.

Deadline for Action: None

Submitting Department: Community Development, Planning

Contact Name and Phone Number:

Paul Scheibel, AICP, Planning Services Manager, 713-4369
Doug Damko, Senior Civil Engineer, 713-4268

Department Recommendation: Staff recommends the City Council conduct the second reading and adoption of Ordinance 2009-06 to change the zoning designations as contained in the ordinance, and authorize the City Manager to sign CZA 2009-01 to set conditional terms for the requested change of zoning classifications.

Summary:

Change of Zone 2008-03 is part of a proposed development project featuring a self-storage facility on the northwest corner of Goshen Ave. and Demaree Street. The Ordinance was introduced for first reading on September 8, 2009, along with the associated General Plan Amendment (GPA) and Mitigated Negative Declaration. The vote was 3-2 (Gamboa and Collins voted No) to approve the zone change and GPA.

The CZA component was included by authority of the City Council to realize some vital infrastructure improvements in advance of the routine City process, and to ensure that phased development on the site is achieved in accordance with the master Conditional Use Permit (CUP) and parcelization plans that were approved for the project.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 10 minutes

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.

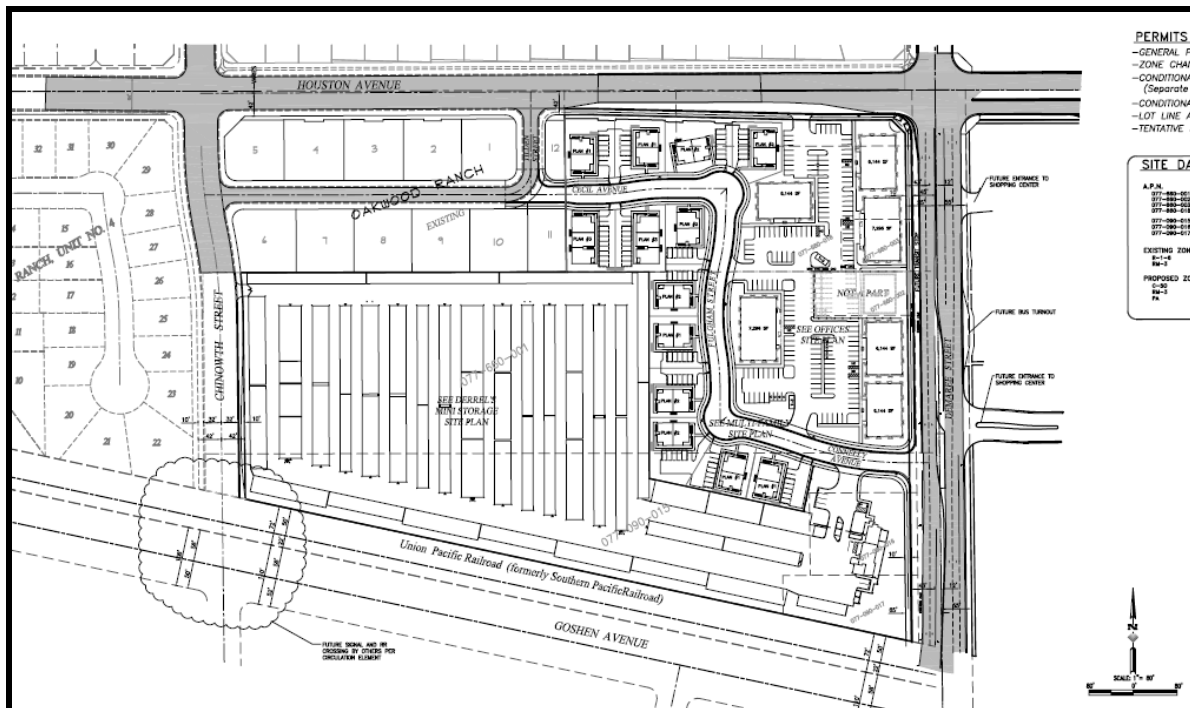
Project Description and Analysis:

Background: On August 10, 2009, the Planning Commission unanimously approved the project components associated with a proposed mixed-use development that includes a self-storage facility (Darell's), and a multi-family residential and office development for the 19.9-acre site generally located on the west side of Demaree Street, between Goshen and Houston Avenues. The Planning Commission further unanimously recommended approval of the quasi-legislative components of the project (GPA and CofZ). Details of each of the project components are contained in the September 8, 2009 City Council report (Attachment 3 of this transmittal).

Summary: The CofZ and associated GPA are to amend approximately 11 acres of single-family residential zoning (R-1-6) and five acres of high density residential zoning (R-M-3). The R-3 zoned area would be compressed to four acres. 10.8 acres would be re-designated as C-S-O (Commercial Service/Office) for the self-storage component of the master-planned site. Approximately five acres would be re-designated as P-A-O zoning for office development. The development project and an associated subdivision map (TSM 5540) are proposed to be phased beginning with the self-storage facility. The precise boundaries of the GPA and CofZ will coincide with the reconfigured parcel and phased project boundaries as shown on the master development plan.

The Planning Commission and City Council determined that the project represents a viable master-planned development and use of a very constrained infill site. Further, the project would result in reduced traffic generation and the opportunity to expand the road infrastructure at this already deficient segment of Demaree Street. **This represents a solution to an existing traffic circulation problem that would be exacerbated if the site were to be developed under the current General Plan designation. To this extent the Planning Commission and City Council determined the project is beneficial for the applicants, adjacent and nearby residents, and for the City as a whole.**

Current Project - CUP 2008-18/ CUP 2008-19/TSM5540 Master Site Plan



The Planning Commission and City Council endorsed the GPA and CofZ on the basis that it will facilitate a viable master-planned project for the area, and that the road and infrastructure dedications and improvements will enhance area circulation now and in the future. **Further, the Planning Commission recommended, and City Council directed that the CZA require completion of all Demaree Street improvements, including the Houston/Demaree intersection with the map recordation or with construction of Phase 1 of the Master Plan.** [presumably CUP 2008-182 (Darell's Self-Storage)]. **The**

Committee/Commission Review and Actions:

On August 10, 2009, the Planning Commission unanimously approved the project components associated with a proposed mixed-use development, and it unanimously recommended approval of the quasi-legislative components of the project (GPA and CofZ).

On September 8, 2009, the City Council approved MND 2008-64, GPA 2008-02, and introduced for first reading Ordinance No. 2009-06 for CofZ 2008-03, and directed preparation of a Conditional Zoning Agreement.

Alternatives:

1. Approve the Change of Zone (CofZ) but modify the Conditional Zoning Agreement (CZA).
2. Deny the C of Z and CZA.
3. Continue the item to a future date.

Attachments:

1. Ordinance 2009-06
2. CZA 2009-01
3. City Council Staff Report, September 8, 2009

Recommended Motion (and Alternative Motions if expected): I move to adopt Ordinance 2009-06 and authorize the City Manager to sign CZA 2009-01.

Environmental Assessment Status

CEQA Review: MND 2008-64 was approved by the City Council on September 8, 2009. The MND includes the CofZ terms of the CZA.

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: Applicant and all parties to the CZA

NO FEE REQUIRED PURSUANT
TO CODE SECTION 6107
RECORDING REQUESTED BY
AND MAIL RESPONSE TO:

City of Visalia
Planning Division
315 East Acequia Avenue
Visalia, CA 93291

CONDITIONAL ZONING AGREEMENT NO. 2009-01

THIS AGREEMENT made this ____ day of ____ 2009, by Cotdale, LP, Derrels Mini Storage, Inc., Rose Ann Walker, Kap Su Davis (Tr), and Great Valley Land Company, LLC, hereinafter called the "First Party" and the CITY OF VISALIA, a political subdivision of the State of California, hereinafter called, "Second Party."

WITNESSETH

WHEREAS, First Party are the owners or certain parcels of real property, herein called the "Property" situated in the City of Visalia, which Property is described in of Exhibit A of this Agreement; and

WHEREAS, the Property is now zoned as specified in Item (a) of Exhibit B; and

WHEREAS, First Party has applied for a rezoning of the Property pursuant to which application the Property is being rezoned from its present classification to the classification or classifications specified in Item (b) of Exhibit B; and


WHEREAS, hearings have been held upon said application before the City Council of the City of Visalia, State of California, and after having considered the matter presented, it has been determined that certain conditions to the rezoning of said real property must be imposed so as not to create any problems inimical to the health, safety and the general welfare of the City of Visalia and its residents.

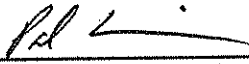
NOW, THEREFORE, IT IS MUTUALLY UNDERSTOOD AND AGREED that inasmuch as the rezoning specified in Item (b) of Exhibit B is being granted, the rezoning shall be subject to the conditions specified in the following paragraphs:

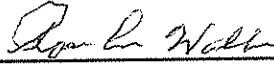
1. That the Recitals, as well as Exhibits A and B as completed and attached hereto, are incorporated into and made a part of this Agreement with the same force and effect as if fully set forth herein.
2. That First Party shall comply with the additional conditions, specified in Item (e) of Exhibit B of this Agreement.
3. In the event First Party, and successor in interest of First Party, or any person in possession of the property described in Exhibit A violates or fails to perform any of the conditions of this Agreement within thirty (30) days after notice thereof as provided in Paragraph 4, the City Council of the Second Party may instruct the City Attorney of Second Party to institute legal proceedings to enforce the provisions of this Agreement.

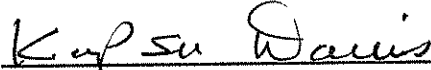
4. Notice of violation of provisions of this Agreement shall be sent to First Party at the address specified in Item (c) of the Exhibit B and to the street address of the property described in Item (c) of Exhibit B. Any subsequent title holder, any lien holder, or party in possession of the property shall also receive notice of such violation at an address other than as specified in Item (c) of Exhibit B by which the notice is to be sent, with reference to this Agreement and the Resolution authorizing its execution.
4. The First Party may, in the event of breach of this Agreement, initiate proceedings to rezone the Property, should the Second Party's failure to comply with this Agreement result in conditions in and around the Property which render the zoning reclassifications authorized by this Agreement unsuitable for the Property.
5. Each and every one of the provisions of this Agreement herein contained shall bind and inure to the benefit of the successor in interest of each and every party hereto, in the same manner as if they had herein been expressly named.
6. Zoning of the property as indicated in Item (b) of Exhibit B shall not be consummated until such time as the Agreement has been recorded in the office of the Tulare County Recorder.

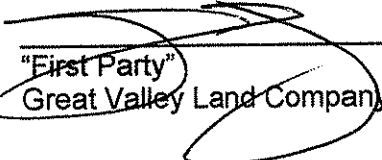
IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

BY: 
"First Party"
Cotdale, LP,


"First Party"
Derrels Mini Storage, Inc.


"First Party"
Rose Ann Walker


"First Party"
Kap Su Davis (Tr)


"First Party"
Great Valley Land Company, LLC

CITY OF VISALIA, A political
subdivision of the State of California

ATTEST:

BY:

City Manager
"Second Party"

City Clerk
"Second Party"

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Land located on the west side of Demaree St., generally between Goshen Ave. and Houston Ave., in the City of Visalia, County of Tulare, State of California, and containing Assessor Parcel Numbers (APNs) 077-660-001, -002, -003, -018, 077-090-012, -015, -016, and -017, and more specifically described as follows:

APN: 077-660-001

PARCEL NO. 2 OF PARCEL MAP NO. 1653, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17, PAGE 54 OF PARCEL MAPS, TULARE COUNTY RECORDS.

APN: 077-090-015

ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING NORTHERLY OF THE SOUTHERN PACIFIC RAILROAD COMPANY'S RIGHT OF WAY. EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF SAID SECTION 26 WITH THE NORTHERLY LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY; THENCE NORTH, ALONG THE EAST LINE OF SAID SECTION 26, 130.00 FEET; THENCE WEST, AT RIGHT ANGLES TO SAID EAST LINE, 275.00 FEET; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID SECTION 26, 67.52 FEET MORE OR LESS TO THE NORTHERLY LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE OF SAID RAILROAD RIGHT OF WAY TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE NORTH 660.00 FEET THEREOF.

ALSO EXCEPTING THEREFROM AS FOLLOWS; COMMENCING AT THE POINT OF INTERSECTION OF THE EAST LINE OF SAID SECTION 26 AND THE NORTH LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY; THENCE NORTH ALONG SAID EAST LINE 130 FEET TO THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO WENDELL H. HARRELL AND WIFE, BY DEED RECORDED APRIL 12, 1960 IN BOOK 2188, PAGE 674 OF OFFICIAL RECORDS, WHICH POINT IS THE TRUE POINT OF BEGINNING OF THE PROPERTY TO BE DESCRIBED; THENCE WEST ALONG THE NORTH LINE OF THE HARRELL PROPERTY 225 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID SECTION, 150 FEET; THENCE EAST AND PARALLEL TO THE NORTH LINE OF THE HARRELL PROPERTY 225 FEET OF THE EAST LINE OF SAID SECTION 26; THENCE SOUTH ALONG SAID EAST LINE 150 FEET TO THE TRUE POINT OF BEGINNING.

APN: 007-090-016

ALL THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF THE INTERSECTION OF THE EAST LINE OF SAID SECTION 26 AND THE NORTH LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY; THENCE NORTH ALONG THE SAID EAST LINE 130 FEET TO THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO WENDELL H. HARRELL AND WIFE, BY DEED RECORDED APRIL 12, 1960, IN BOOK 2188, PAGE 674 OF OFFICIAL RECORDS, WHICH POINT IS THE TRUE POINT OF THE BEGINNING OF THE PROPERTY TO BE DESCRIBED; THENCE WEST ALONG THE NORTHLINE OF THE HARRELL PROPERTY 225 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID SECTION, 150 FEET; THENCE EAST AND PARALLEL TO THE NORTH LINE OF THE HARRELL PROPERTY 225 FEET TO THE EAST LINE OF SAID SECTION 26; THENCE SOUTH ALONG SAID EAST LINE 150 FEET OF THE TRUE POINT OF BEGINNING.

APN: 077-090-017

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF LYING NORTHERLY OF THE SOUTHERN PACIFIC RAILROAD COMPANY'S RIGHT-OF-WAY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION EAST LINE OF SAID SECTION 26 WITH THE NORTH LINE OF THE RIGHT-OF-WAY OF THE SOUTHERN RAILROAD COMPANY;

THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 26, 130 FEET;

THENCE WEST AT RIGHT ANGLES TO SAID EAST LINE, 275 FEET;

THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID SECTION 26, 67.52 FEET (MORE OR LESS) TO THE NORTHERLY LINE OF THE RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY;

THENCE SOUTHEASTERLY ALONG SAID NORTHERLY LINE OF SAID RAILROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE COUNTY OF TULARE BY DEED RECORDED JULY 25, 1974 AS DOCUMENT NO. 29806 IN BOOK 3189, PAGE 802 OF OFFICIAL RECORDS.

APN: 077-660-002

PARCEL NO. 1 OF PARCEL MAP NO. 1653 IN THE COUNTY OF TULARE, STATE OF CALIFORNIA AS PER MAP FILED IN BOOK 17, PAGE 54 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 077-660-003

PARCEL NO. 2 OF PARCEL MAP NO. 1929, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 20, PAGE 30 OF PARCEL MAPS, TULARE COUNTY RECORDS.

APN: 077-660-018

PARCEL NO. 1 OF PARCEL MAP NO. 1929, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 20, PAGE 30 OF PARCEL MAPS,

TULARE COUNTY RECORDS.

EXHIBIT B

CONDITIONAL ZONING AGREEMENT NO. 2009-01

(a) The Property, as described in Exhibit A, is now zoned:

R-1-6 (Single-family Residential, 6,000sq.ft. minimum lot size), and R-M-3 (Multi-Family Residential, 1,500sq.ft. minimum lot area per unit)

(b) The zoning reclassification of certain portions of the Property, as more specifically identified in Item (d) below, shall be from their present zoning to:

P-C-SO (Planned Shopping/Office Commercial), P-PA (Planned Professional /Administrative Office), and R-M-3 (Multi-family Residential, 1,500sq.ft. minimum lot area per unit)

(c) Notice to First Party pursuant to Paragraph No. 4, shall be addressed to:

Cotdale, LP
3265 W. Ashlan Ave.
Fresno, CA 93722

Derrels Mini Storage, Inc.
3265 W. Ashlan Ave.
Fresno, CA 93722

Rose Ann Walker
515 N. Linwood St.
Visalia, CA 93291

Kap Su Davis (TR)
645 Greg St.
Farmersville, CA 93223

Great Valley Land Compnay, LLC
4122 S. Demaree St.
Visalia, CA 93277

(d) Description of various portions of the Property to which the zoning reclassification in Item (b) applies:

P-C-SO (Planned Shopping/Office Commercial): The purpose and intent of the planned service commercial zone district is to provide areas that accommodate wholesale, heavy commercial uses, such as lumberyards and construction material retail uses, etc., and services such as automotive, plumbing, and sheet metal fabrication. It is intended that uses in this district be those that can be compatible with heavy truck traffic and noise. Uses that would restrict the operation of generally permitted heavy commercial businesses are not provided in this district.

P-PA (Planned Professional /Administrative Office): The purpose and intent of the planned professional/administrative office zone district is to provide areas for professional and administrative offices where they can be effectively integrated into surrounding areas.

R-M-3 (Multi-family Residential, 1,500sq.ft. minimum lot area per unit): In the P(R-M) multi-family residential zone, the purpose and intent is to provide living areas within the two multi-family residential zones (one medium density and one high density) with housing facilities where development is permitted with a relatively high concentration of dwelling units, and still preserve the desirable characteristics and amenities of a low density atmosphere.

(e) The additional conditions with which First Party shall comply, pursuant to Paragraph No. 2, of this Agreement, are as follows:

- 1) The First Party and the Second Party mutually agree that the use of the CSO zoned portion of the Property, identified in Item (d), shall be limited to use as a Mini Storage Facility, which is identified in the Zoning Matrix (Line 932) as a conditional use in the CSO zone. In addition, the First Party shall develop the Property in substantial conformance with the plans that have been submitted to the Second Party to date, and any revisions shall be subject to the approval of the First Party.
- 2) The First Party and the Second Party mutually agree that all street, infrastructure, and utility improvements along the west side of Demaree Street (between Goshen and Houston Avenues), and the east side of Chinowth Street shall be completed to the satisfaction of the City Engineer prior to the recordation of any portion of the Tentative Subdivision Map No. 5540 or issuance of any certificate of occupancy for any portion of the Property. Said street, infrastructure and utility improvements shall include, but not be limited to, all of the following:
 - (i) Construction of a continuous southbound deceleration lane (right-turn lane) along the Demaree Street frontage from Houston to Goshen Avenues including acquisition of fee title to all of the "not-a-part" parcels, which shall be provided at the expense of the First Party.
 - (ii) Widening of southbound Demaree Street that will allow for the U-turn movement at the intersection of Demaree Street and Houston Avenue (northbound to southbound), at the expense of the First Party, subject to the conditions in Item e(4) below.
 - (iii) The existing overhead utility lines will be placed underground at the expense of the First Party. The existing AT&T box, at the southwest corner of Demaree Street and Houston Avenue, may need to be relocated, and if so, it shall be completed at the sole expense of the First Party.
 - (iv) Bus stop, parkway, and sidewalk improvements will be installed at the expense of the First Party, subject to the conditions in item e(3) below.
 - (v) Installation of curb and gutter on the east side of Chinowth Street from the north end of this project to the north railroad right-of-way line at the expense of the First Party.
 - (vi) Construction of a paved fire-lane on Chinowth Street at the expense of the First Party, subject to the conditions in item e(3) below.

- 3) A portion of the cost to construct the fire-lane on Chinowth Street, and the bus stop on Demaree Street shall be reimbursable per the City's Transportation Impact Fee Program.
- 4) The City will evaluate the existing southbound travel lanes on Demaree Street and determine if any improvements are required along with this project. If the City requests the improvements to these travel lanes as a part of this project, the cost to construct said improvements shall be reimbursed to the First Party per the City's Transportation Impact Fee Program.
- 5) The First Party agrees to dedicate any required right-of-way to the City at no cost to the City.

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 - (i) Construction of a continuous southbound deceleration lane (right-turn lane) along the Demaree Street frontage from Houston to Goshen Avenues including acquisition of fee title to all of the "not-a-part" parcels, which shall be provided at the expense of the First Party.
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- 5) The First Party agrees to dedicate any required right-of-way to the City at no cost to the City.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 21, 2009

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

Agenda Item Wording: Second Reading and Adoption of Ordinance 2009-08 Authorizing the Police Department to have enforcement guidelines for specific aggressive behaviors associated with solicitation in public and amendment to Visalia Municipal Ordinance Section 8.40 to include camping in non-designated areas as a public nuisance.

Deadline for Action: None

Submitting Department: Police Department and Housing and Economic Development Department (HEDD)

Contact Name and Phone Number: Police Chief Colleen Mestas, 713-4215; Lieutenant Perry Phipps, 713-4103; Agent Mark Lyon 713-4137; Tracy Robertshaw, Code Enforcement Officer, 713-4187

Department Recommendation: Staff recommends the City Council conduct the second reading and adoption of Ordinance 2009-08 authorizing proper enforcement measures to correct aggressive solicitation behaviors in public and amend the Nuisance Ordinance to include camping in unapproved locations as a public nuisance.

Summary/background:

On December 7, 2009, Council was presented with an ordinance authorizing enforcement of aggressive solicitation and changes to the Nuisance Ordinance adding camping in unapproved locations as a public nuisance. In addition, subsection 9.34.050 Solicitations Under False Pretenses Prohibited has been added to the aggressive solicitation ordinance. The Council, by unanimous vote, introduced Ordinance No. 2009-08.

On December 21, 2009, Council is requested to adopt Ordinance No. 2009-08 amending the Nuisance Ordinance and adopting an aggressive solicitation ordinance.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: None

Alternatives: N/A

Attachments:

- Ordinance 2009-08

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 10 minutes

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Recommended Motion (and Alternative Motions if expected): Move to adopt Ordinance 2009-8.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

ORDINANCE NUMBER 2009 --08

**ADDING TO THE VISALIA MUNICIPAL CODE A PROHIBITION
AGAINST AGGRESSIVE SOLICITATION**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA

Section 1: Consistent with its control over municipal affairs and the powers vested in the City of Visalia through the California Constitution, the City of Visalia is authorized to secure and promote the public health, comfort, safety and welfare of its citizenry. Therefore, the City Council of the City of Visalia hereby adopts Chapter 9.34 of Title 9 of the Municipal Code " attached hereto as Attachment "1" and made a part hereof.

Section 2: Section 12.52.020, Section 8.40.020 and 8.40.030 of the Visalia Municipal Code is hereby amended to read as follows (italics denotes the new provisions):

12.52.020 Obstruction of movement in public ways.

A. No person shall occupy any portion of a public way or public place so as to obstruct or interfere with the flow of pedestrian or vehicular traffic thereon, whether such person does so alone or together with one or more persons, or with equipment or personal property of any nature, and whether such person does so by standing, sitting, lying or in any other manner.

B. No person shall occupy a roadway median for any purpose, whether by standing, sitting, lying or in any other manner, and no person shall walk in a roadway median except as necessary to pass through at a designated crossing location. This section shall not apply to those persons occupying a median while conducting activities related to maintenance, surveying, construction, landscape maintenance, landscape improvements, responding to an emergency, or unless otherwise permitted by law.

8.40.020 Definitions

"Camping" means the use of either a public park, a private or public street, or a vacant field, or place, none of which are intended for living accommodation purposes, as a temporary or permanent residence. Camping activities may be evidenced by the erecting of tents or any structure providing shelter; (including but not limited to trees, paper, metal, tarps, wood, shrubs, or bushes) sleeping with or without bedding, sleeping bag, blanket, mattress, tent, hammock, or other similar device; making preparations to sleep; storing personal belongings; starting or maintaining a fire; cooking; or preparing meals. Persons utilizing a vehicle as a mobile living unit must abide by Visalia Municipal Code Section 17.32.100.

8.40.030 Public Nuisance

It is hereby declared to be a public nuisance and a violation of this Chapter for an owner or other person in control of said property or premises to keep or maintain property, premises or rights-of-way in such a manner that any of the following conditions exist:

A. Abandoned, dismantled, wrecked, inoperable, unlicensed, and discarded objects, equipment or appliances such as, but not limited to vehicles, boats, water heaters, refrigerators, furniture which is not designed for outdoor use, household fixtures,

machinery, equipment, cans or containers standing or stored on property or sidewalks or streets which can be viewed from a public street or walkway, alley or other public property which items are readily accessible from such places, or which are stored on private property in violation of any other law or ordinance;

B. Discarded putrescibles, garbage, rubbish, refuse, or recycled items which have not been recycled within thirty (30) days of being deposited on the property which are determined by an enforcement officer to constitute a fire hazard or to be detrimental to human life, health or safety;

C. Oil, grease, paint, other petroleum products, hazardous materials, volatile chemicals, pesticides, herbicides, fungicides or waste (solid, liquid or gaseous) which is determined by an enforcement officer to constitute a fire or environmental hazard, or to be detrimental to human life, health or safety;

D. Lumber (excluding lumber for a construction project on the property with a valid permit), salvage materials, including but not limited to auto parts, scrap metals, tires, other materials stored on premises in excess of seventy-two (72) hours and visible from a public street, walkway, alley or other public property;

E. Receptacles for discarded materials and recyclables which are left in the front yard following the day of the regularly scheduled refuse pick-up for the property;

F. Swimming pool, pond, spa, or other body of water, or excavation which is abandoned, unattended, unsanitary, empty, which is not securely fenced, or which is determined by the enforcement officer to be detrimental to life, health or safety;

G. Any premises which detrimentally impacts the surrounding neighborhood because of dilapidation, deterioration or decay or is unsafe for the purpose for which it is being used or is not secured or is improperly secured;

H. Any premise or property in a condition which is in fact a fire hazard or which results or can result in the impairment of the ability of the department of fire and emergency management to respond to and suppress fires;

I. Any condition on a property which meets the following requirements:

1. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life and property; and

2. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

J. Camping in areas not specifically designated for such use or not specifically authorized by a public agency. Camping on private property shall be permissible only in the rear yard of an existing single family residence in a residential zone for a period not to exceed two consecutive days and there is written permission from the property owner.

Section 3: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not effect the validity or enforceability of the remaining sections, subsections, subdivision, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Visalia hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 4: Construction. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section 5: Effective Date. This Ordinance shall take effect thirty days after its adoption.

Section 6: Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

PASSED AND ADOPTED:

Bob Link, Mayor

ATTEST:

Steven M. Salomon, City Clerk

APPROVED AS TO FORM
BY CITY ATTORNEY:

Alex M. Peltzer, City Attorney

VISALIA MUNICIPAL CODE

Title 9 PUBLIC PEACE, MORALS AND WELFARE

Chapter 9.34 **Aggressive Solicitation**

Sections:

- 9.34.010 Purpose
- 9.34.020 Definitions
- 9.34.030 Aggressive Solicitation Prohibited
- 9.34.040 All Solicitation Prohibited at Specified Locations
- 9.34.050 Penalty
- 9.34.060 Severability
- 9.34.070 Non-Exclusivity

9.34.010 Purpose

It is the intent of this Chapter to impose reasonable place and manner limitations on solicitation, as defined herein, in order to protect the safety of the general public against abusive solicitation, prevent disruptions to public functions, improve access to public places, and to curb intimidating or coercive behavior, while respecting the constitutional right of free speech.

9.34.20 Definitions

The following words or phrases as used in this Chapter shall have the following meanings:

- (a) **“Solicitation”** means any request made in person seeking an immediate donation of money or other item of value. A person shall not be deemed to be in the act of solicitation when he or she passively displays a sign or gives any other indication that he or she is seeking donations without addressing his or her solicitation to any specific person, other than in response to an inquiry by that person.
- (b) **“Donation”** means a gift of money or other item of value and shall also include the purchase of an item for an amount far exceeding its value under circumstances where a reasonable person would understand that the purchase is in substance a gift.
- (c) **“Aggressive solicitation”** means to do one or more of the following while engaging in solicitation or immediately thereafter:

- (1) Approaching or speaking to a person, or following a person before, during, or after soliciting, asking, or begging, if that conduct is intended or is likely to cause a reasonable person to:
 - (a) fear bodily harm to oneself or to another, damage to or loss of property, or
 - (b) otherwise be intimidated into giving money or other thing of value;
 - (2) Blocking or impeding the passage of the person solicited;
 - (3) Following the person solicited by proceeding behind, ahead or alongside of him or her after the person solicited declines to make a donation;
 - (4) Threatening the person solicited with physical harm by word or gesture;
 - (5) Using profane, offensive, or abusive language, which is inherently likely to provoke an immediate violent reaction before, during, or after solicitation;
 - (6) Touching the solicited person without the solicited person's consent; or
- (d) **“Public Place”** shall mean a place to which the public or a substantial group of persons has access, and includes, but is not limited to, any street, highway, sidewalk, parking lot, plaza, transportation facility, school, place of amusement, park, playground, and any doorway, entrance, hallway, lobby, and other portion of any business establishment open to the public.
- (e) **“Person”** means and includes both individual persons and organizations.

9.34.30 Aggressive Solicitation Prohibited

No person shall engage in Aggressive Solicitation in any public place.

9.34.040 All Solicitation Prohibited at Specified Locations.

A. Banks and ATMs.

- (1) No person shall engage in solicitation within 15 feet of any entrance or exit of any bank, savings and loan association, credit union, or check cashing business during its business hours or within 15 feet of any automated teller machine during the time it is available for customers' use.
- (2) Definitions, for the purpose of this section:
 - (a) **“Bank”** means any member bank of the federal Reserve System, and any bank, banking association, trust company, savings bank, or other banking institution organized or operated under the laws of the United States, and any bank the deposits of which are insured by the Federal Deposit Insurance Corporation.
 - (b) **“Savings and Loan Association”** means any federal savings and loan association and any “insured institution” as defined in Section 401 of the National Housing Act, as amended, and any federal credit union as defined in Section 2 of the Federal Credit Union Act.

- (c) **“Credit Union”** means any federal credit union and any state chartered credit union the accounts of which are Insured by the Administrator of the National Credit Union Administration.
- (d) **“Check Cashing Business”** means any person duly licensed as a check seller, bill payer, or prorater pursuant to Division 3 of the California Financial Code, commencing with Section 12000.
- (e) **“Automated Teller Machine”** shall mean any electronic information processing device which accepts or dispenses cash in connection with a credit, deposit, or convenience account.

B. Motor Vehicles and Parking Lots

- (1) **Motor Vehicles.** No person shall approach an operator or occupant of a motor vehicle for the purpose of solicitation, while such vehicle is located in any public place.
- (2) **Parking Lots.** No person shall engage in solicitation in any public parking lot or structure any time after dark. **“After dark”** means any time from one-half hour after sunset to one-half hour before sunrise.
- (3) **Exemptions.** Subdivision B shall not apply to any of the following:
 - (a) to solicitations related to business which is being conducted on the subject premises by the owner or lawful tenants;
 - (b) to solicitations related to the lawful towing of a vehicle; or,
 - (c) to solicitations related to emergency repairs requested by the operator or other occupant of a vehicle.

C. Public Transportation Vehicles and Bus Stops.

- (1) **Public Transportation Vehicle.** No person shall engage in solicitation while in a public transportation vehicle.
- (2) **Bus Stops.** No person shall engage in solicitation at or within 15 feet of a bus stop.
- (3) Definitions, for the purpose of this section:
 - (a) **“Public Transportation Vehicle”** means any vehicle, including a trailer bus, designed, used, or maintained for carrying 10 or more persons, including the driver; or a passenger vehicle designed for carrying fewer than 10 persons, including the driver, and used to carry passengers for hire.
 - (b) **“Bus Stop”** means any posted or otherwise designated location or area that exists on a public transportation vehicle or bus route where public transportation vehicles or buses stop to discharge and take on passengers.

9.34.050 Solicitation Under False Pretenses Prohibited

No person shall knowingly make a false or fraudulent representation or use false pretenses to obtain a donation.

9.34.060 Penalty

A violation of any of the provisions of this Chapter is punishable as a misdemeanor or infraction, at the discretion of the prosecuting entity or agency.

9.34.070 Severability

If any provision of this Chapter, or its application to any person or circumstance, is held to be invalid for any reason, the remainder of the Chapter, or the application of its provisions to other persons or circumstances, shall not in any way be affected.

9.34.080 Non-Exclusivity

The provisions of this Chapter shall not limit or preclude the enforcement of other applicable laws.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 21, 2009

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

Agenda Item Wording:

Second reading of Ordinance 2009-10 authorizing the sale of City property located at the east side of McAuliff Street at Mill Creek Parkway/Race Street (Portion of APN 103-320-11) to California Water Service.

Deadline for Action: Not Applicable

Submitting Department: Administration/Community Development

Contact Name and Phone Number:

Mike Olmos, Assistant City Manager: 713-4332
Chris Tavarez, Management Analyst, 713-4540

Department Recommendation:

Staff recommends Council approve the second reading of Ordinance 2009-10 authorizing the sale of City property located at the east side of McAuliff Street at Mill Creek Parkway/Race Street (Portion of APN 103-320-11) to California Water Service and authorize the City Manager to sign and execute all necessary documents for the property sale.

Summary: This is the final action by Council needed for the sale of the subject property for Cal Water. The site will be used for a future well and storage tank to enhance water system capability in this neighborhood.

Background:

On November 16, 2009, Council held a Public Hearing and approved the first reading for Ordinance 2009-10 for the sale of this property to California Water Service Company.

An appraisal completed by The Hopper Company shows an appraised value of \$1.85 per square foot for 110,879 square feet or \$205,126 and has worked with Cal Water on an appropriate preliminary site plan. The land was originally purchased with Transportation Impact Fees (1241 Fund) during the development of McAuliff through the site and the proceeds from the sale will be deposited into the same fund. The portion of interest to Cal Water is a wedge-shaped parcel of approximately 2.5 acres on the north side of the future extension of Mill Creek Parkway/Race Street. Cal Water plans to develop a well and a 30-35 foot high, 2-million gallon water storage tank on the subject property. This well and storage tank will increase the water distribution capabilities of Cal Water and help enhance services to residents.

Visalia's Circulation Element designates Mill Creek Parkway as a Collector Street, which stops at the McAuliff Street alignment. Any future extension of Mill Creek Parkway/Race Street to the east of McAuliff will most likely be a Local Street designation. Right-of-way for extension of Mill Creek

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 12/11
(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.

Parkway/Race Street to the east of McAuliff Street will be reserved as requested by Engineering Staff on the south side of the proposed Cal Water well site. Cal Water as a condition of the sale has been asked to design the site with the intention that Race Street would be built out in the future. Other requirements would be installation of concrete landscape curb at the location of the future curb and gutter and to have complete frontage with fencing and landscaping. Engineering staff has done a preliminary design for Race Street to provide in the legal description in the sale of the property that adequate Right of Way is retained by the City for the future build out of Race Street.

The estimated cost of the build out of curb, gutter and street paving for 137 feet of Race Street along the site frontage is \$36,700. Half of the estimated cost for build out of Race Street would be required to help offset the cost the City will bear when the street is built out, which would require a deposit of \$18,350 from Cal Water. This deposit would be paid at the close of escrow. Future connection of Race Street to McAuliff would improve circulation in the area and allow for future densification of development in this rural residential area.

A temporary City storm drain basin exists on the site, which Cal Water wishes to retain to use for storage of water. Cal Water has advised the site with the existing drainage basin is well suited for their needs to add a well and tank and could provide more water than most other sites through direct draw and storage. The existing storm drain line connection to the basin that connects to Mill Creek will be capped off during the current McAuliff extension project over Mill Creek.

Cal Water has prepared a preliminary site plan (Attachment 2), including landscaping, that was reviewed and tentatively approved by Engineering and Planning Staff. Cal Water has indicated that they are willing to handle the outreach to the surrounding neighbors during the site plan development process. They have agreed to provide screening landscaping for the site, subject to City approval of the landscape plans.

Staff requests that Council approve the second reading of Ordinance 2009-10 for the sale of this property and authorize the City Manager to sign/execute all necessary documents for the completion of this property sale.

Prior Council/Board Actions:

November 16, 2009 – 1st reading of Ordinance 2009-10 (approved 5-0)

Attachments:

1. Ordinance No. 2009-10
2. Cal Water Preliminary/Draft Site Plan
3. Draft Purchase and Sale Agreement

Recommended Motion (and Alternative Motions if expected):

I move to approve the second reading of Ordinance 2009-10 authorizing the sale of real property of the south portion of APN 103-320-11 at Mc Auliff Street and Mill Creek Parkway to California Water Service Company and authorize the City Manager to sign and execute all necessary documents for the completion of the sale.

Environmental Assessment Status

N/A

ORDINANCE NO. 2009-10

**AUTHORIZING SALE OF REAL PROPERTY TO
CALIFORNIA WATER SERVICE COMPANY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA

Section 1: The City of Visalia owns all the legal and beneficial interest in certain real property commonly referred to as the northeast corner of Mc Auliff Street and Mill Creek Parkway, Visalia, California (APN: 103-320-011) and has determined to convey a portion of it to California Water Service Company, and

Section 2: Said real property is located in the area at the northeast corner of Mc Auliff Street and Mill Creek Parkway/Race Street alignment intersection and the portion to be conveyed to Buyers is more particularly and legally described in attached Exhibit, in Purchase and Sale Agreement , and

Section 3: The City Council of the City of Visalia, having considered evidence submitted in oral and written form, finds the subject real property is not now, nor will be of public use or necessity, and

Section 4: Said City Council finds and determines that said portion of the real property should be sold, and

Section 5: The City of Visalia wishes to sell and Buyers wish to purchase said real property and the rights and entitlement, based on terms and conditions to be set forth in a Purchase and Sale Agreement and Escrow Instructions.

Section 6: Having found the subject property to have no further public use or necessity, the Council hereby authorizes the transfer of ownership in and to said described portion of the real property to Buyers or their vestee as per the terms and conditions of the above-mentioned agreement.

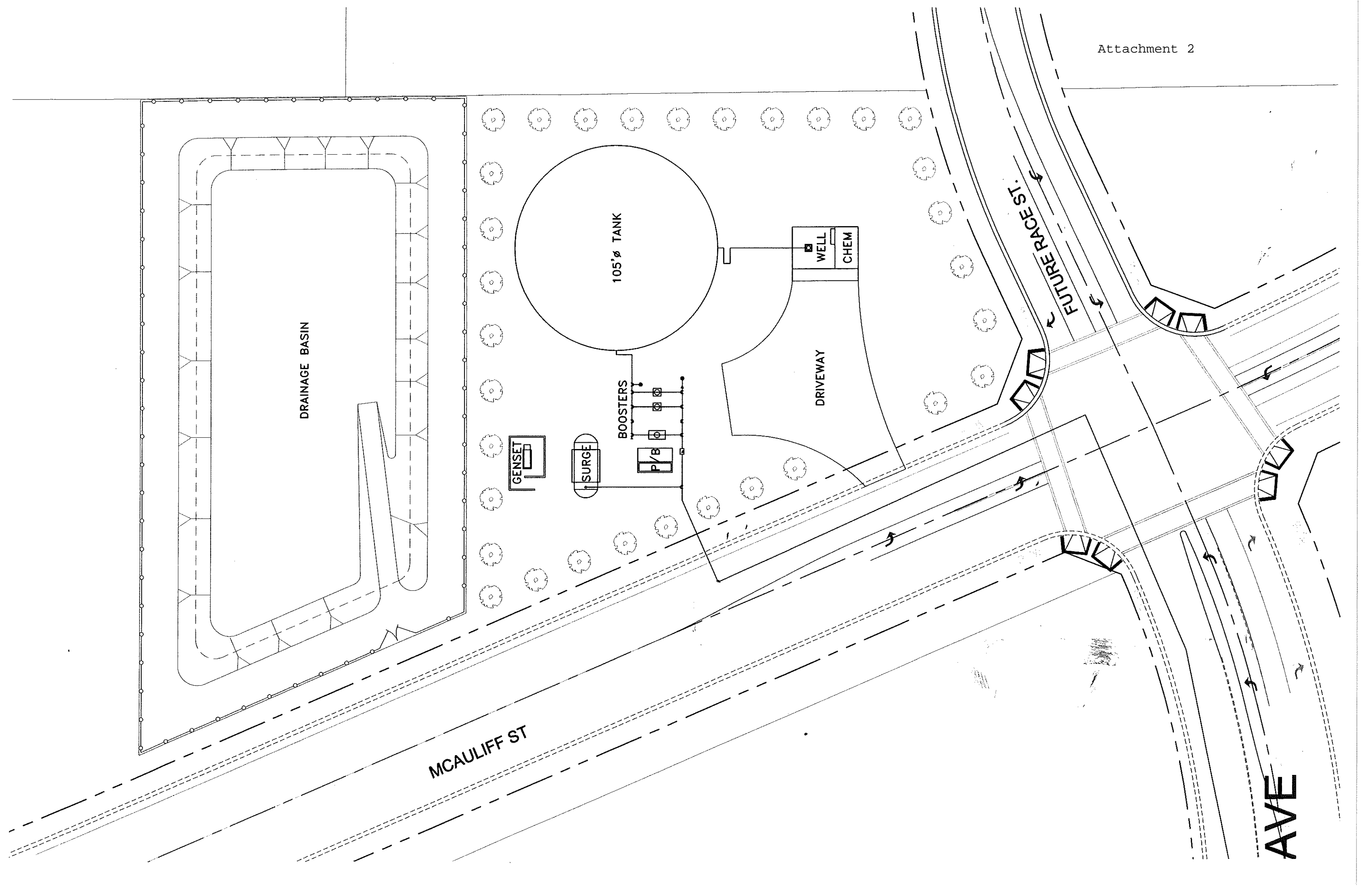
Section 7: This ordinance shall become effective thirty days after passage hereof.

PASSED AND ADOPTED:

_____, MAYOR

ATTEST BY: _____

APPROVED BY CITY ATTORNEY: _____



City of Visalia Agenda Item Transmittal

Meeting Date: December 21, 2009

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

Agenda Item Wording: Authorization to Award Contract to RCC Consultants to Conduct a County-wide Consolidated Dispatch Implementation Study for the amount of \$79,250.

Deadline for Action: N/A

Submitting Department: Police/Fire

Contact Name and Phone Number: Chief Colleen Mestas, ext. 4215; Fire Chief Mark Nelson, ext. 4218; Veronica McDermott, ext. 4230

Department Recommendation: Police and Fire staff request Council authorization to award RCC Consultants a contract to conduct a county-wide dispatch consolidation implementation study.

Summary: On May 18, 2009, Police and Fire staff received Council authorization to seek a qualified and experienced consultant to conduct a consolidated dispatch implementation study. These efforts are the result of a partnership with City of Visalia and Tulare County agencies. As a result, a selection committee was formed representing police and fire agencies county-wide. The selection committee consists of:

- Lt. David Singleton, Tulare County Sheriff's Office
- Bat. Chief Ted Mendoza, Tulare County Fire
- Randy Smith, Exeter Police Department
- Pat Aldrich, Tulare County Probation
- Jay Jones, Tulare County Information Technology
- Bat. Chief, Danny Wristen, Visalia Fire Department
- Veronica McDermott, Visalia Police Department

On November 19, the selection committee interviewed three (3) consultants;

- RCC Consultants, San Bernadino, CA
- Matrix Consulting Group, Palo Alto, CA
- Deltawrx Management Consultants, Woodland Hills, CA

The panel unanimously selected RCC Consultants to perform the implementation study. RCC Consulting was found to be the most experienced overall with conducting comprehensive

This document last revised: 12/18/09 2:19:00 PM

File location and name: H:\(1) AGENDAS for Council - DO NOT REMOVE\2009\122109\Item 9f consolidated dispatch.doc

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 CM/vm
(Initials & date required)

Finance EF/vm
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.

consolidated dispatch studies. Some of the areas highly rated by the panel included their experience with technology, CAD/radio systems, 9-1-1 systems, building and system plans, budget/staffing projections, and Federal and State grant resources. In addition, RCC Consultants provided the lowest bid.

- RCC Consultants, Inc., \$79,250
- Matrix Consulting Group, \$79,500
- Deltawrx Management Consultants, \$131,859

In order to proceed, staff seeks Council authorization to award the contract to RCC Consultants to conduct a county-wide consolidated dispatch implementation study in the amount of \$79,250.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives:

Attachments: Contract for County-wide Consolidated Dispatch Study

Recommended Motion (and Alternative Motions if expected): Staff seeks Council's authorization to award contract to RCC Consultants to conduct a county-wide consolidated dispatch implementation study.

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:

COUNTY-WIDE CONSOLIDATED DISPATCH STUDY

This Agreement, entered into this _____ day of _____, 20____, by and between the City of Visalia, hereinafter referred to as the "CITY", and **RCC Consultants, Inc.** hereinafter referred to as the "CONSULTANT".

W I T N E S S E T H

WHEREAS, the CITY is authorized and empowered to employ consultants and specialists in the performance of its duties and functions; and

WHEREAS, the CITY has the desire to secure certain technical and professional services to assist in the preparation and completion of the items of work described as "Scope of Work" in Exhibit "A", and hereinafter referred to as the "PROJECT"; and

WHEREAS, the CONSULTANT represents it is licensed, qualified and willing to provide such services pursuant to terms and conditions of this Agreement.

NOW, THEREFORE, CITY and CONSULTANT agree as follows:

I. SERVICES TO BE PERFORMED BY THE CONSULTANT

- A. Authorized Scope of Work: The CONSULTANT agrees to perform all work necessary to complete in a manner satisfactory to the CITY those tasks described in Exhibit "A" - Scope of Work, for the cost identified in Exhibit "B" - Project Fee.
- B. Additional Services: Incidental work related to the PROJECT and not provided for in Exhibit "A" may be needed during the performance of this Agreement. The CONSULTANT agrees to provide any and all additional services at the rates identified in attached Exhibit "C" - Schedule of Fees for Professional Services. Such additional services shall not be performed by CONSULTANT without the written consent of CITY.

II. TIME OF PERFORMANCE

The CONSULTANT shall commence performance of this Agreement within five (5) days of execution of this Agreement and shall complete the work within the timeframes outlined in Exhibit "A", unless otherwise extended in writing by CITY, in its sole discretion.

If the CONSULTANT fails to complete the PROJECT within the time specified, plus any extensions of time which may be granted, the CITY shall determine the percent of each work item completed and shall pay the CONSULTANT on that basis.

CONSULTANT shall not be responsible for delays which are due to causes beyond the CONSULTANT's reasonable control. In the case of any such delay, the time of completion shall be extended accordingly in a writing signed by both parties.

III. COMPENSATION

- A. Total Compensation: For services performed pursuant to this Agreement, the CITY agrees to pay and the CONSULTANT agrees to accept, as payment in full, a sum not to exceed **Seventy Nine Thousand, Two Hundred Fifty** dollars (\$ **79,250.00**). This amount shall constitute complete compensation, including document production and out-of-pocket expenses for all services for the work and PROJECT identified in Exhibits "A" and "B".

- B. Payment of Compensation: The CONSULTANT shall be compensated upon completion of the project. The CONSULTANT shall be paid no later than thirty (30) days following submission of a written, verified billing to the CITY.

IV. AUTHORIZED REPRESENTATIVE

- A. CITY: The **Project Manager** shall represent the CITY in all matters pertaining to the services to be rendered under this Agreement, except where approval of the City Council of the City of Visalia is specifically required.
- B. CONSULTANT: **Thomas Gray** shall represent and act as principle for CONSULTANT in all matters pertaining to the services to be rendered by it under this Agreement.

V. TERMINATION

The right to terminate this Agreement, with or without cause, may be exercised without prejudice to any other right or remedy to which the terminating party may be entitled at law or under this Agreement.

- A. Termination By Either Party Without Cause: The CITY or CONSULTANT may terminate this Agreement at any time by giving written notice to the other of such termination and specifying the effective date thereof, at least fifteen (15) days before the effective date of such termination.
- B. Termination of Agreement for Cause: The CITY may by written notice to the CONSULTANT specifying the effective date thereof, at least fifteen (15) days before the effective date of such termination, terminate the whole or any part of this Agreement in any of the following circumstances:
 - 1. If the CONSULTANT fails to perform the services called for by this Agreement within time(s) specified herein or any extension thereof; or
 - 2. If the CONSULTANT fails to make progress under this Agreement as to endanger performance of this Agreement in accordance with its terms, and does not correct such failure within a period of ten (10) days (or longer period as the CITY may authorize in writing) after receipt of notice from the CITY specifying such failure.
- C. Post-Termination:
 - 1. In the event the CITY terminates this Agreement with or without cause, the CITY may procure, upon such terms and such manner as it may determine appropriate, services similar to those terminated.
 - 2. Except with respect to defaults of subconsultants, the CONSULTANT shall not be liable for any excess costs if the failure to perform this Agreement arises out of causes beyond the control and without the fault or negligence of the CONSULTANT. Such causes include, but are not limited to, acts of God or of the public enemy, floods, epidemics, quarantine restrictions, strikes, and unusually severe weather; but in the event the failure to perform is caused by the default of a subconsultant, the CONSULTANT shall not be liable for failure to perform, unless the services to be furnished by the subconsultant were obtainable from other sources in sufficient time

and within budgeted resources to permit the CONSULTANT to meet the required delivery schedule or other performance requirements.

3. Should the Agreement be terminated with or without cause, the CONSULTANT shall provide the CITY with all finished and unfinished documents, data, studies, services, drawings, maps, models, photographs, reports, etc., prepared by the CONSULTANT pursuant to this Agreement.
4. Upon termination, with or without cause, CONSULTANT will be compensated for the services satisfactorily completed to the date of termination according to compensation provisions contained herein. In no event, shall the total compensation paid CONSULTANT exceed the total compensation agreed to herein.
5. If, after notice of termination of this Agreement, as provided for in this article, it is determined for any reason that the CONSULTANT was not in default under the provisions of this article, then the rights and obligations of the parties shall be the same as if the Agreement was terminated without cause.
6. Termination of this Agreement shall not terminate any obligation to indemnify, to maintain and make available any records pertaining to the Agreement, to cooperate with any audit, to be subject to offset, or to make any reports of pre-termination activities.

VI. INTEREST OF OFFICIALS AND THE CONSULTANT

- A. No officer, member, or employee of the CITY who exercises any functions or responsibilities in the review or approval of this Agreement shall:
 1. Participate in any decision relating to this Agreement which effects his personal interest or the interest of any corporation, partnership, or association in which he has, directly or indirectly, any interest; or
 2. Have any interest, direct or indirect, in this Agreement or the proceeds thereof during his tenure or for one year thereafter.
- B. The CONSULTANT hereby covenants that he has, at the time of the execution of this Agreement, no interest, and that he shall not acquire any interest in the future, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed pursuant to this Agreement. The CONSULTANT further covenants that in the performance of this work, no person having any such interest shall be employed.

VII. NO PERSONNEL, AGENCY OR COMMISSION

The CONSULTANT warrants, by execution of this Agreement, that no personnel agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide established commercial or selling agencies maintained by the CONSULTANT for the purpose of securing business. For breach or violation of this warranty, the CITY shall have the right to annul this Agreement without liability or, in its discretion, to deduct from this Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

VIII. SUBCONTRACTING

- A. The CONSULTANT shall not subcontract or otherwise assign any portion of the work to be performed under this Agreement without the prior written approval of the CITY.
- B. In no event shall the CONSULTANT subcontract work in excess of 50% of the contract amount, excluding specialized services. Specialized services are those items not ordinarily furnished by a consultant performing the particular type of project.

IX. INDEPENDENT CONTRACTOR

In the performance of the services herein provided for, the CONSULTANT shall be, and is, an independent contractor and is not an agent or employee of the CITY. The CONSULTANT has and shall retain the right to exercise full control and supervision of all persons assisting the CONSULTANT in the performance of said services hereunder. The CONSULTANT shall be solely responsible for all matters relating to the payment of its employees including compliance with social security and income tax withholding and all other regulations governing such matters.

X. SPECIFICATIONS

All specifications, manuals, standards, etc., either attached to this Agreement or incorporated by reference, are binding as to the performance of the work specified in this Agreement unless they are changed by written amendment to this Agreement modified in writing to incorporate such changes.

XI. DOCUMENTS/DATA

- A. Ownership of Documents: All original papers and documents, produced as a result of this Agreement, shall become the property of the CITY. In addition, CITY shall be provided with access and use of any other papers and documents consistent with the purpose and scope of services covered by this Agreement. Any additional copies, not otherwise provided for herein, shall be the responsibility of the CITY.

Documents, including drawings and specifications, prepared by CONSULTANT pursuant to this Agreement, are not intended or represented to be suitable for reuse by CITY or others on extensions of the PROJECT or on any other project. Any use of the completed documents for other projects and any use of incomplete documents without the specific written authorization from CONSULTANT will be at CITY's sole risk and without liability to CONSULTANT. Further, any and all liability arising out of changes made to CONSULTANT's deliverables under this Agreement by CITY or persons other than CONSULTANT is waived as against CONSULTANT, and the CITY assumes full responsibility for such changes unless the CITY has given CONSULTANT prior notice and has received from CONSULTANT written consent for such changes.

- B. Publication: No report, information, or other data given or prepared or assembled by the CONSULTANT pursuant to this Agreement, shall be made available to any individual or organization by the CONSULTANT without the prior written approval of the CITY. Notwithstanding the foregoing, however, the CONSULTANT shall not be required to protect or hold in confidence and confidential information which (1) is or becomes available to the public with the prior written consent of the CITY; (2) must be disclosed to comply with law; or (3) must be disclosed in connection with any legal proceedings.
- C. Copyrights: The CONSULTANT shall be free to copyright material developed under this Agreement with the provision that the CITY be given a nonexclusive and irrevocable license

to reproduce, publish or otherwise use, and to authorize others to use the material for government or public purposes.

XII. INDEMNIFICATION AND INSURANCE

- A. As respects acts, errors, or omissions in the performance of services, CONSULTANT agrees to indemnify and hold harmless CITY, its elected and appointed officers, employees, and CITY designated volunteers from and against any and all claims, demands, losses, defense costs, liability or consequential damages arising directly out of CONSULTANT's negligent acts, errors or omissions in the performance of his/her services under the terms of this Agreement, except to the extent those arise out of the negligence of CITY.
- B. CITY agrees to indemnify and hold harmless CONSULTANT, its officers, employees, and designated volunteers from and against any and all losses, defense costs, liability or consequential damages to the extent arising out of CITY'S negligent acts, errors or omissions in the performance of this Agreement.
- C. As respects all acts or omissions which do not arise directly out of the performance of services, including but not limited to those acts or omissions normally covered by general and automobile liability insurance, CONSULTANT agrees to indemnify, defend (at CITY's option), and hold harmless CITY, its elected and appointed officers, agents, employees, representatives, and volunteers from and against any and all claims, demands, defense costs, liability, or consequential damages of any kind or nature arising out of or in connection with CONSULTANT's (or CONSULTANT's subcontractors, if any) performance or failure to perform, under the terms of this Agreement; except to the extent those which arise out of the negligence of CITY.
- D. Without limiting CITY's right to indemnification, it is agreed that CONSULTANT shall secure prior to commencing any activities under this Agreement, and maintain during the term of this Agreement, insurance coverage as follows:
1. Workers' compensation insurance as required by California statutes.
 2. Commercial general liability insurance with a combined single limit of not less than One Million Dollars (\$1,000,000) per occurrence. Such insurance shall include coverage for Premises and Operations, Contractual Liability, Personal Injury Liability, Products and Completed Operations Liability, Broad Form Property Damage (if applicable), Independent Contractor's Liability (if applicable).
 3. Professional liability insurance coverage, in an amount not less than One Million Dollars (\$1,000,000).
 4. Comprehensive Automobile Liability coverage with a combined single limit of not less than One Million Dollars (\$1,000,000) per occurrence. Such insurance shall include coverage for owned, hired, and non-owned automobiles and shall be provided by a business automobile policy.
- E. CITY'S Risk Manager is hereby authorized to reduce the requirements set forth above in the event he/she determines that such reduction is in the CITY'S best interest.
- F. Each insurance policy required by this Agreement shall contain the following clause:
- "This insurance shall not be canceled, limited in scope or coverage, or non-renewed until after thirty (30) days prior written notice has been given to the City Clerk, City of Visalia, 707 W. Acequia, Visalia, CA 93291."

In addition, the commercial general liability and comprehensive automobile liability policies required by this Agreement shall contain the following clauses:

“It is agreed that any insurance maintained by the City of Visalia shall apply in excess of and not contribute with insurance provided by this policy.”

“The City of Visalia, its officers, agents, employees, representatives and volunteers are added as additional insureds as respects operations and activities of, or on behalf of the named insured, performed under contract with the City of Visalia.”

- G. Prior to commencing any work under this Agreement, CONSULTANT shall deliver to CITY insurance certificates confirming the existence of the insurance required by this Agreement, and including the applicable clauses referenced above. Within thirty (30) days of the execution date of this Agreement, CONSULTANT shall provide to CITY endorsements to the above-required policies, which add to these policies the applicable clauses referenced above. Said endorsements shall be signed by an authorized representative of the insurance company and shall include the signatory’s company affiliation and title. Should it be deemed necessary by CITY, it shall be CONSULTANT’s responsibility to see that CITY receives documentation acceptable to CITY which sustains that the individual signing said endorsements is indeed authorized to do so by the insurance company. CITY has the right to demand, and to receive within a reasonable time period, copies of any insurance policies required under this Agreement.

- H. In addition to any other remedies CITY may have if CONSULTANT fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, CITY may, at its sole option:
 - 1. Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement; or
 - 2. Order CONSULTANT to stop work under this Agreement and/or withhold any payment(s) which become due to CONSULTANT hereunder until CONSULTANT demonstrates compliance with the requirements hereof; or
 - 3. Terminate this Agreement.

Exercise of any of the above remedies, however, is an alternative to other remedies CITY may have and is not the exclusive remedy for CONSULTANT’s failure to maintain insurance or secure appropriate endorsements.

Nothing herein contained shall be construed as limiting in any way the extent to which CONSULTANT may be held responsible for payments of damages to persons or property resulting from CONSULTANT’s or its subcontractor’s performance of the work covered under this Agreement.

XIII. NON-DISCRIMINATION

CONSULTANT and all subcontractors shall not discriminate against any employee or applicant for employment on the basis of race, color, national origin, or sex in the performance of this Agreement. Failure by the contractor to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement.

XIV. MISCELLANEOUS PROVISIONS

- A. Asbestos and Hazardous Materials: In providing its services hereunder, CONSULTANT shall not be responsible for identification, handling, containment, abatement, or in any other respect, for any asbestos or hazardous material if such is present in connection with the PROJECT. In the event the CITY becomes aware of the presence of asbestos or hazardous material at the jobsite, CITY shall be responsible for complying with all applicable federal and state rules and regulations, and shall immediately notify CONSULTANT, who shall then be entitled to cease any of its services that may be affected by such presence, without liability to CONSULTANT arising therefrom.
- B. Successors and Assigns: This Agreement shall be binding upon and shall inure to the benefit of any successors to or assigns of the parties.
- C. Prohibition of Assignment: Neither the CITY nor CONSULTANT shall assign, delegate or transfer their rights and duties in this Agreement without the written consent of the other party.
- D. Dispute/Governing Law: Any dispute not resolvable by informal arbitration between the parties to this Agreement shall be adjudicated in a Court of Law under the laws of the State of California.
- E. Notices: Notice shall be sufficient hereunder if personally served upon the City Clerk of the CITY or an officer or principal of the CONSULTANT, or if sent via the United States Postal Service, postage prepaid, addressed as follows:

CITY OF VISALIA
707 W. Acequia Ave.
Visalia, CA 93291
Attention: Purchasing

RCC Consultants, Inc.
266 E. 33rd Street
San Bernardino, CA 92404
Attention: Tom Gray

- F. Jurisdiction/Venue/Waiver Of Removal: This Agreement shall be administered and interpreted under the laws of the State of California. Jurisdiction of litigation arising from this Agreement shall be in that State. Any action brought to interpret or enforce this Agreement, or any of the terms or conditions hereof, shall be brought in Tulare County, California. The CONSULTANT hereby expressly waives any right to remove any action to a county other than Tulare County as permitted pursuant to Section 394 of the California Code of Civil Procedure.
- G. Integration/Modification: This Agreement and each of the exhibits referenced herein, which are incorporated by reference, represents the entire understanding of the CITY and the CONSULTANT as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing signed by the CITY and the CONSULTANT.
- H. Conflict With Law: If any part of this Agreement is found to be in conflict with applicable laws, such part shall be inoperative, null and void insofar as it is in conflict with said law, but the remainder of the Agreement shall be in full force and effect.

- I. Attorney's Fees: In the event either party commences any action, arbitration or legal proceedings for the enforcement of this Agreement, the prevailing party, as determined by the court or arbitrator, shall be entitled to recovery of its attorney's fees and court costs incurred in the action brought thereon.
- J. Construction: This Agreement is the product of negotiation and compromise on the part of each party and the parties agree, notwithstanding Civil Code Section 1654, that in the event of uncertainty the language will not be construed against the party causing the uncertainty to exist.
- K. Authority: Each signatory to this Agreement represents that it is authorized to enter into this Agreement and to bind the party to which its signature represents.
- L. Headings: Section headings are provided for organizational purposes only and do not in any manner affect the scope or intent of the provisions thereunder.

IN WITNESS WHEREOF, this Agreement is executed on the day and year first above written.

CITY OF VISALIA

CONSULTANT

City Manager

Approved as to Form

City Attorney

Risk Manager

Project Manager

Attachments:

- | | |
|-------------|--|
| Exhibit "A" | Scope of Work |
| Exhibit "B" | Project Fees |
| Exhibit "C" | Schedule of Fees for Professional Services |

SCOPE OF SERVICES

A. Responsibilities of the Consultant

The proposal submitted in response to this RFP shall include a detailed scope of work and schedule consistent with the purpose and objective of the project identified above under the Introduction Section and as follows.

PROJECT INITIATION AND TEAM ORIENTATION

- Define the Project Team members' desired roles.
- Review project scope, objectives, plans, and requirements with the Project Team.
- Determine outside participation and roles/responsibilities.
- Review current understanding of the existing facilities, telecommunications operations, and nature of operating relationships between contiguous agencies.
- Prepare calendar and milestones including:
 - Timetables, deliverables, and meeting schedules
 - Schedule necessary progress meetings, in addition to regular contact with the Project Team
 - Define reporting deliverable (Project Web-Site)

INTERVIEW PERSONNEL

- Interview stakeholder agencies, and other pertinent personnel to determine their specific current and projected operational needs through the next 10 years. During the interview sessions, solicit thoughts and comments regarding the feasibility and benefits of consolidated operations, along with pros and cons surrounding this issue. Each agency may include its appropriate personnel in the interview sessions. The interview sessions to be preceded by questionnaire forms to be utilized during the interviews to validate information.
- Prepare typed interview summaries to be returned to each group for review and approval. This will ensure consultant clearly understands the messages conveyed during the interviews and provides interviewees an opportunity to make changes or additions if needed.
- Develop an understanding of staffing and personnel required for long-term management and operation of a consolidated communication center.

UNDERSTAND CURRENT FACILITIES AND ISSUES

- Review capabilities of existing communications including:
 - Adequacy of existing facilities and their ability to support future requirements.
 - Age and suitability of existing facilities, available space for new equipment, and construction necessary to convert these facilities into a consolidated center.
 - Capability of current facilities and systems to continue to provide efficient departmental communications and emergency operations activities.
 - Capability of any proposed facilities to provide efficient departmental communications and emergency operations activities.
 - Develop a description of existing two-way radio, 9-1-1, CAD/RMS, mobile data, AVL, and other dispatch systems
 - Determine interface requirements to connect current RMS and Mobile Data access to State CLETS and NCIC systems.
 - Determine interface requirements for Mobile Data Field Reporting back to current message switch.
 - Assemble and review a listing of the existing communications equipment and networks, and discover opportunities to leverage these systems in the future.
- Collect relevant forms, reports, and statistical data on calls-for-service and dispatch incidents to understand or verify:
 - How major functions are performed
 - The flow of voice and data information through the various systems

- Traffic volumes, which can be utilized to determine Peak Busy Hour calls and dispatch incidents as it relates to staffing.
- User perceptions of the overall facilities and communications systems' effectiveness, and major opportunities for improvement.
- Any available history of frequency of employee turnover, staff recruitment programs and staffing issues.
- Maintenance problems/concerns relating to the existing and proposed facilities and systems
- If automated traffic data reports are not available from the 9-1-1 and CAD systems, manual traffic study forms will be provided by consultant to accomplish this

GOVERNANCE REVIEW

- Review governance options
 - Strong central authority
 - Joint Powers
 - New Entity (utility model)
- Define governance vehicle
 - Define requirements and issues related to the new governance charter, participation, contribution, equity, performance expectations, equitable disengagement, etc.

DETERMINE COLLOCATION ALTERNATIVES, FACILITY AND OPERATIONAL REQUIREMENTS AND COSTS

- Review staffing levels and costs for dispatch and call-taker personnel in the current configuration and compare with the forecasted staffing level and costs under a proposed consolidation environment.
- Review findings from previous tasks and determine alternatives for collocation, which could result in improved operations and response time to citizens' calls-for-service.
- Determine factors involved in participating in a collocated facility relating to training, staffing, space, technological and operational policy/procedure matters.
- Determine and document standalone and collocated requirements and needs, including:
 - Space requirements supporting future growth for 9-1-1 call-taking, radio dispatch, logging recorders, computer systems (CAD/RMS) and radio equipment.
 - Facility needs and requirements to support the functions of Police and Fire Dispatch.
 - Investigate alternative sites (land or existing space) available for construction of a new facility as an additional option. Considerations will include size, location, and operational requirements.
- Prepare a financial analysis based upon the operational options available to the City including:
 - Funding necessary to maintain current facilities and increase the level of service.
 - Funding necessary to complete consolidation and necessary interfaces back to common central equipment systems, including and Return on Investment (ROI) projections.

DEVELOP AND PRESENT FINAL REPORT

- Review recommendations with the Project Team and finalize conclusions.
 - Prepare a draft of an Executive Summary style final report identifying all of the work completed to date, the findings from the various tasks and recommendations regarding the possible configurations available to the Visalia/Tulare stakeholders.
 - Present draft report to the Project Team for review and comment.
 - Make requested changes, as appropriate.
 - Upon completion of the project, consultant will produce a comprehensive implementation plan (document) along with budgetary costs for creating a county-wide consolidated dispatch center and present final report to the Project Team.
 - Conduct presentation of final report as appropriate.

OTHER

- Develop triggers for future expansion
- Data storage and retrieval recommendations
- Reporting Process/workflow recommendations

- Mutual Aid Agreements
- Recommendations for integrating private industry with government
- Determine which CAD/RMS would be used, including costs.
- Funding recommendations to support a new 9-1-1 dispatch center, i.e., assessments, land-line fees, etc.
- Recommendations for a cost sharing formula for participating agencies, how will this be accomplished? Charges for air time, population, calls for service.
- Integration of the various public safety agencies' police service practices
- Redundancy

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December, 21st 2009

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

Agenda Item Wording: Award a construction contract and authorize the City Manager to execute an agreement for RFB No. 09-10-09 for the Mooney Blvd. Storm Drain Pipeline and Lift Station Upgrade Project (Project No. 3011-9939) in the amount of (\$320,428.76) to the low bidder, Mark Hoffman General Engineering, Inc.

Deadline for Action: January 21, 2010 (30 days after bid opening)

Submitting Department: Community Development Department/
Engineering Division

Contact Name and Phone Number:

Peter Spiro, Associate Engineer- 713 4256
Adam Ennis, Engineering Services Manager- 713-4323
Chris Young, Assistant Community Dev. Director – 713-4392

Department Recommendation: Award a construction contract and authorize the City Manager to execute an agreement for RFB No. 09-10-09 for the Mooney Blvd. Storm Drain Pipeline and Lift Station Upgrade Project (Project No. 3011-9939) in the amount of (\$320,428.76) to the low bidder, "Mark Hoffman General Engineering".

Summary: This project involves the installation of approximately 1,345 feet of a master planned 30-inch storm drain pipeline within 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 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 Riggins Avenue. The lift station was originally installed in the 1960's. City staff has obtained the necessary approval from the Modoc Ditch Company to discharge additional storm water into their ditch. The project also includes installing signage, striping, and bike lanes, along North Mooney Boulevard from Houston Avenue to Ferguson Avenue. The Engineer's estimate for the construction was \$377,000.

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.): 1

Review:

Dept. Head _____
(Initials & date required)

Finance _____
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.

On December 11, 2009, the City opened eight (8) bids submitted for the project; bid results were as follows:

	Contractor	Total Bid
1.	Mark Hoffman Gen. Eng. (Tulare)	\$ 320,428
2.	Total Plumbing (Visalia)	\$ 336,628
3.	Grizzly Const. Inc. (Fresno)	\$361,324
4.	Dunn's Sand. Inc. (Visalia)	\$372,980
5.	Browning Contractor. Inc. (Fresno)	\$381,421
6.	Bill Nelson Gen. Engineering (Fresno)	\$425,020
7.	Dawson-Mauldin Const. (Huntington Beach)	\$496,184
8.	Witbra, Inc. -Seal Rite Pavement-(Clovis)	\$499,647

Mark Hoffman General Engineering Inc. has submitted the lowest responsive bid. This company has satisfactorily completed projects for the City of Visalia in the past including; Ben Maddox Way at K-Road, St. Johns Parkway, County Center and Visalia Parkway Street Improvements, County Center Culvert at Packwood Creek and River Run Ranch Basins.

Prior Council/Board Actions:

On December 3rd, 2007, City Council authorized City staff to bid the construction of this project without the requirements of prevailing wage pursuant to Resolution No. 83-02.

Committee/Commission Review and Actions: None.

Alternatives: Do not award contract.

Attachments:

- Exhibit A – Location Map,
- Exhibit B – Bid Opening Spreadsheet
- Exhibit C – Contractor Disclosure Statement

Recommended Motion (and Alternative Motions if expected): I move to award a construction contract and authorize the City Manager to execute an agreement for RFB No. 09-10-09 for the Mooney Blvd. Storm Drain Pipeline and Lift Station Upgrade Project (Project No. 3011-9939) in the amount of (\$320,428.76) to the low bidder, Mark Hoffman General Engineering, Inc.

Financial Impact:

Funding Source:

Account Number: 3011-9939

Budget Recap:

Estimated cost:	\$355,000	New Revenue:	0.0 \$
Amount Budgeted:	\$440,000	Lost Revenue:	0.0 \$
New funding required:	\$0		
Council Policy Change:	Yes _____	No	<u>X</u>

Environmental Assessment Status

CEQA Review:

Required? Yes No
Review and Action: Prior: Categorical Exemption was filed on Oct. 16th, 2009
Required:

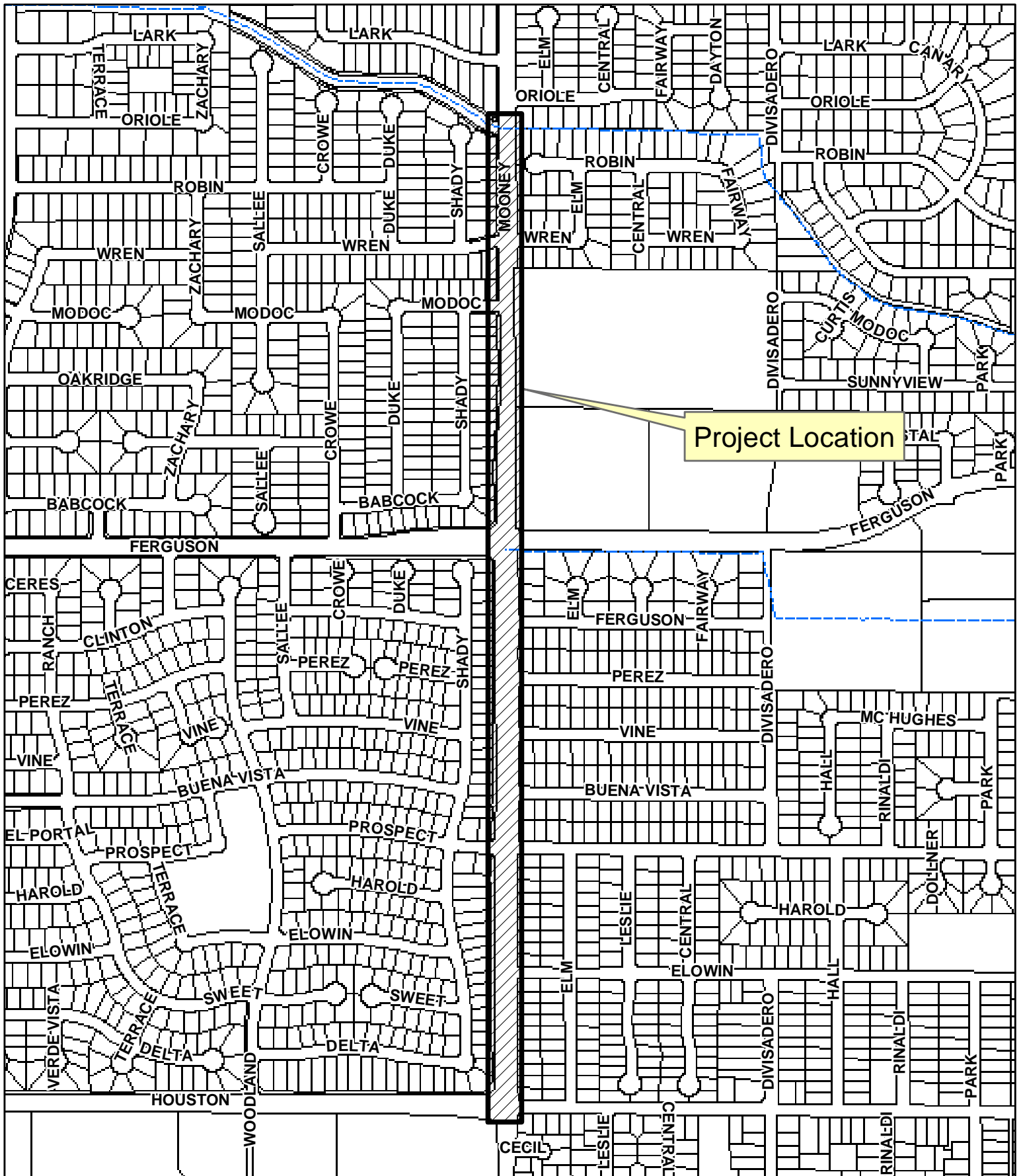
NEPA Review:

Required? Yes No (No Federal Funding is used for the project)
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): Agreement execution*

Copies of this report have been provided to:

Mr. Dennis Keller, PE, Modoc Ditch Company Chief Engineer
Mr. Mark Markarian, California Water Service
Mr. Gary Skinner, Southern California Gas Company



Mooney Boulevard Storm Drain Pipeline and Lift Station upgrade



Scale: 1"=600'





CITY OF VISALIA

Disclosure Contractors and Consultants


NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:

Firm Name Hofmar Engineering and Construction, Inc.
DBA: Mark Hoffman General Engineering
Firm Address 21346 Road 140 Tulare, California 93274

List the names of all principals, partners, and/or trustees. For corporations provide names of officers, directors and all stockholders owning more than 10% equity interest in corporation:

Mark E. Hoffman - President - 100%

December 14, 2009
Date


Signature
Mark E. Hoffman - President
Print Name & Title

Date

Signature

Print Name & Title

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 21, 2009

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

Agenda Item Wording: Appointment of the following Committee and Commission members as recommended by the Citizen's Advisory Committee, in accordance with Council approved City policy, for the Planning Commission, the Transit Advisory Committee, the Citizen's Advisory Committee, Environmental Committee and the Waterways & Trails Committee

Deadline for Action: December 31, 2009

Submitting Department: Administration

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

Department Recommendation:

It is recommended that the Visalia City Council appoint the Committee and Commission members as recommended by the Citizen's Advisory Committee, in accordance with Council approved City policy, as follows:

Planning Commission – Vincent Salina and Larry Segrue

Transit Advisory Committee – Pat Chester, Josh Miller, Gerald Squier and Glenn Stewart

Citizen's Advisory Committee – Luke Feldstein, Jeff Forbes and Alan Powers

Visalia Environmental Committee – Ray Saito and Helene Mueller-Beilschmidt

Waterways and Trails Committee – Vickie Stasch, Ben Filiponi and Russ Dahler

Summary/background:

The Visalia City Council has nine Committees and Commissions to which it appoints members to provide input on a variety of specific issues. A list of the Committee and Commissions, the current members, the members whose terms were ending, and a copy of the Committee and Commission guidelines, including the current appointment process, were provided to the City Council at the December 1 meeting.

The appointments being considered were processed in accordance with the current policies, including the provision that Committee members and Commissioners only serve on one body at any given time. Full term appointments being considered at this time will expire in December,

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 121309
(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.

2011. Mid-term appointments being considered due to mid-term resignations, will expire in December, 2010.

The Mayor has asked that the Committee/Commission policies, including appointment policies, be included as part of City Council retreat on February 5 and 6. At that time, the Council can provide staff direction if there are changes the Council wishes to implement to the Committee/Commission structure.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

November and December, 2009 – The CAC recommended these appointments to the Council, with the exception of the Planning Commission which does not go to the CAC for consideration. October and November, 2009 – The various Committees recommended these reappointments to the CAC.

Alternatives:

Attachments:

Individual staff reports for each Committee/Commission, including applications for all first time appointees.

<p>Recommended Motion (and Alternative Motions if expected): I move to approve the staff recommendation regarding Committee and Commission appointments.</p>

City of Visalia Agenda Item Transmittal

Meeting Date: December 21, 2009

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

Agenda Item Wording: Reappointment of Larry Segrue and Vincent Salinas to serve on the City of Planning Commission through December 31, 2011.

Deadline for Action: December 30, 2009

Submitting Department: Administration

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

Department Recommendation: It is recommended that the City Council appoint Larry Segrue and Vincent Salinas to serve on the City of Visalia Planning Commission through December 31, 2011.

Summary:: Both of these men currently serve on the Planning Commission and are eligible to serve another term. Staff confirmed that they both attend regularly and participate on the Commission.

Background: Vincent Salinas was appointed to serve on the Planning Commission in the fall of 2003 to serve an unexpired term, and was reappointed to a full term in 2005. His second term expires on December 31.

Larry Segrue was appointed to the Planning Commission in August, 2005 to fill an unexpired term that will conclude at the end of this year.

In accordance with the policies adopted by Council in 2008, Commissioner terms are now two years, all terms expire on December 31, and Commissioners can serve up to four – two year terms for a total of eight years. If a Commissioner is appointed to serve an unexpired term and serves more than half of the term, it serves as a full term. If a Commissioner serves less than half a term, it does not count as a full term and they may serve an extra term. Both Misters Segrue and Salinas are eligible to serve another term.

Prior Council/Board Actions:

Council appointed Mr. Segrue to serve on the Council in August, 2005
Council appointed Mr. Salinas in October, 2005.

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 121509
(Initials & date required)**

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

**City Mgr _____
(Initials Required)**

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

Committee/Commission Review and Actions: N/A

Alternatives: To conduct a full recruitment for the Planning Commission

Attachments: N/A

Recommended Motion (and Alternative Motions if expected): I move to approve the appointment of Vincent Salinas and Larry Segrue to the Visalia Planning Commission for a term ending December, 2011.

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 21, 2009

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

Agenda Item Wording: Appointment of Luke Feldstein, Jeff Forbes and Alan Powers as Citizens Advisory Committee members and Rick Cronce as first alternate.

Deadline for Action: None

Submitting Department: Citizens Advisory Committee

Contact Name and Phone Number:

Dirk Holkeboer, Citizens Advisory Chair	802-1631
Eric Frost, Staff Liaison to CAC	713-4474

Department Recommendation and Summary: It is recommended that:

- Luke Feldstein;
- Jeff Forbes; and,
- Alan Powers;

be appointed as members of the Citizens Advisory Committee as of January 1, 2010 to fill vacancies on the committee caused by departing members who have completed their term.

Also, that the Council appoint the following individual as an alternate, non-voting members to the committee:

- 1st Alternate, Rick Cronce

Finally, the CAC recommends that the following sitting committee members be reappointed for an additional term as shown below:

- Chris Gomez
- George Shelton
- Sylvia Baggs
- Nyla Hallum
- Dirk Holkeboer
-

For action by:

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

For placement on which agenda:


Work Session
 Closed Session


Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 5

Review:

Dept. Head 
(Initials & date required)

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

City Mgr 
(Initials Required)

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

It should be noted that currently that two individuals are completing their term and are not seeking a new term. However the committee is grateful for their service. The individuals completing their term are:

- Lois Bollinger; and,
- George Ouzounian

Committee/Commission Review and Actions:

The Citizens Advisory Committee maintains fifteen regular members and two alternate members. The CAC will have three vacancies as of January 1, 2010 and currently has no alternate members. On November 4, 2009, the Committee interviewed six individuals and voted to recommend three individuals as committee members and two additional individuals as non-voting alternates. One of the alternate recommendations, Rob Cox, who was recommended by the committee, realized he could not serve on two committees and has since withdrawn his name but hopes to serve later.

The committee reviewed the attached applications, interviewed the candidates and then internally voted on the candidates. The committee then discussed the results and endorsed the nominations as shown above.

Finally, several current committee members are completing a term. The CAC recommends that the following individuals be reappointed to a second term of office:

- Chris Gomez
- George Shelton
- Sylvia Baggs
- Nyla Hallum
- Dirk Holkeboer

Alternatives: These positions could be left vacant.

Attachments: Applications of Luke Feldstein, Jeff Forbes, Alan Powers and Rick Cronce

Recommended Motion (and Alternative Motions if expected): I recommend that the following be appointed as CAC members:

- Luke Feldstein
- Jeff Forbes
- Alan Powers

That the following be appointed as non-voting alternate members:

- Rick Cronce, first alternate

That the following sitting CAC members be reappointed to an additional two year term of office:

- Chris Gomez
- George Shelton
- Sylvia Baggs
- Nyla Hallum
- Dirk Holkeboer

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 21, 2009

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

Agenda Item Wording: Appointment of Ray Saito and Helene Mueller-Beilschmidt to the Visalia Environmental Committee

Deadline for Action: N/A

Submitting Department: Administration

Contact Name and Phone Number: Kim Loeb, 713-4530

Department Recommendation: It is recommended that Ray Saito and Helene Mueller-Beilschmidt to the Visalia Environmental Committee to fill vacant positions beginning January 2010.

Background:

The Visalia Environmental Committee reviewed the available applications and interviewed the candidates. Based on this information, the Committee recommended to the Citizen's Advisory Committee that Ray Saito and Helene Mueller-Beilschmidt be appointed to fill the two vacant positions. The CAC reviewed the recommendation and concurred with the Environmental Committee's recommendation.

Ray Saito has been a Visalia resident for little more than a year. He is the manager of the Mainland Skate and Surf store here in Visalia and has a Bachelor of Science degree in International Business from CSU Long Beach. Mr. Saito has attended a number of Committee meetings and has contributed useful information and ideas to the members.

Helene Mueller-Beilschmidt has been a Visalia resident for over a year. She has recently obtained a position as an energy assessor for the Synergy Companies Energy Efficiency Division in Fresno. She also works part-time for WaterWise Consulting. Ms. Mueller-Beilschmidt has completed five years of college specializing in nutrition.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

November 2009 – Visalia Environmental Committee recommended applicants to the CAC.

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.

December 2009 – CAC reviewed and concurred with the Visalia Environmental Committee recommendation.

Alternatives:

Positions remain vacant.

Attachments:

Applications

Recommended Motion (and Alternative Motions if expected):

I move to appoint Ray Saito and Helene Mueller-Beilschmidt to the Visalia Environmental Committee to serve the recommended terms.

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 21, 2009

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

Agenda Item Wording: Appointment of Pat Chester and Re-appointment of Gerald Squire, Josh Miller and Glenn Stewart to the Transit Advisory Committee.

Deadline for Action: December 21, 2009

Submitting Department: Administration Department – Transit Division

Contact Name and Phone Number: Monty Cox, X4591

Department Recommendation

It is recommended that Pat Chester be appointed and Gerald Squire, Josh Miller and Glenn Stewart be re-appointed to the Transit Advisory Committee.

Summary

The Transit Advisory Committee (TAC) currently has two vacant positions and two vacant alternate positions. The TAC met on November 4, 2009 and recommended that Pat Chester be appointed to the committee and that Gerald Squire, Josh Miller, and Glenn Stewart be reappointed to the Committee. All terms would end December 31, 2011. The appointment of Patsy Chester was reviewed by the Citizens Advisory Committee (CAC) and they approved the appointment. The re-appointments are not reviewed by the CAC under the current policy.

Background

The Transit Advisory Committee makes recommendations regarding the various transit services provided by the City Transit Division. There are nine positions and two alternate positions. During this annual appointment period the committee made the following recommendations:

1. Resignation of Philip Jared Cline – During the last year Mr. Cline resigned due to his workload.
2. Appointment of Patsy Chester – Pat Chester has been serving on the committee as an alternate for several years. She has attended on a regular basis. The committee would like her to become a regular member. Ms. Chester served on the committee from 2001-2006.

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.): _____

Review:

Dept. Head LBC 121609
(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.

3. Re-Appointment of Gerald Squier – Mr. Squier was first appointed in 2004 and was reappointed in 2007 for a total of five years. He has served as Chairman in the past. This will be his third and last appointment.
4. Re-Appointment of Josh Miller – Mr. Miller was first appointed in 2008. This will be his second term. He has attended regularly.
5. Re-Appointment of Glen Stewart – Mr. Stewart was first appointed in 2008. This will be his second term. He has attended regularly.

The Committee reviewed these appointments and has requested the City move forward with these recommendations.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: None.

Attachments: Application for Patsy Chester.

Recommended Motion (and Alternative Motions if expected):

I move to appoint Patsy Chester and reappoint Gerald Squire, Josh Miller, Glenn Stewart and Mary Wheeler to the Transit Advisory Committee.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 21, 2009

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

Agenda Item Wording: Re-appointment of Vickie Stasch, Ben Filiponi, and Russ Dahler to the Waterways and Trails Committee.

Deadline for Action: December 21, 2009

Submitting Department: Parks and Recreation

Contact Name and Phone Number: Paul Shepard, X4209

Department Recommendation

It is recommended that Vickie Stasch, Ben Filiponi, and Russ Dahler be re-appointed to the Waterways and Trails Committee.

Summary

The Waterways and Trails Committee met on December 1st and recommends the re-appointment of Vickie Stasch, Ben Filiponi, and Russ Dahler. Re-appointments are not reviewed by the CAC under the current policy. Four members have resigned and the committee will be recommending new members to the CAC and Council in early 2010.

Background

There are thirteen positions on the Waterways and Trails Committee. The committee recommends the re-appointment of Vickie Stasch, Ben Filiponi, and Russ Dahler. Rachel Rosenberry, Lindsay Bailey, Mike Flynn and Sean Fitzgerald have resigned from the committee. The committee will be recommending new members to the CAC and Council in early 2010.

Prior Council/Board Actions:

Committee/Commission Review and Actions:

Alternatives: None.

Attachments: None.

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

Recommended Motion (and Alternative Motions if expected):

Move to reappoint Vickie Stasch, Ben Filiponi, and Russ Dahler to the Waterways and Trails Committee.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 21, 2009

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

Agenda Item Wording: Approval of the appointment of City Council Representatives to various boards and committees for the 2009-2011 Council term.

Deadline for Action: N/A

Submitting Department: Mayor Bob Link

Contact Name and Phone Number: Mayor Bob Link, Donjia Huffmon 713-4512, Leslie Caviglia 713-4317

Department Recommendation: Approval of the appointment of City Council representatives to the various board and committees as recommended by Mayor Bob Link.

Summary/background: I have compiled a list of recommendations for Council representatives to applicable boards, committees and task forces. I have taken into consideration several factors including consideration of which groups would benefit from continuity or the particular experience of a Council member, each Council Member's particular interests in certain issues, and an effort to balance the number of committees each Council Member attends.

I am recommending that the Gang Intervention Task Force (multi-agency) committee be removed from the list as there are no elected officials from other agencies serving on the Committee, but rather elected officials are invited to attend as a matter of information. Councilmember Nelsen has expressed an interest in attending these meetings and is encouraged to do so as his time permits.

For consistency sake, on the SPCA Task Force, I am recommending that I continue to serve on the task force through the completion of the selection of the architect which should occur in January/February and after that process is complete that Councilmember Nelsen take over my appointment.

In two instances, I recommend that staff members continue to be the alternate to the Council Member. For the Property Based Improvement District (PBID), and the Tulare County Economic Development Corp, it is traditional for staff to be the alternate since they are usually well versed on the issues and often in attendance.

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 12/14/09
(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.

For the Visalia Unified School District Trustee Area Election Boundary Committee, the school district has requested a member of the Council as well as a member of city staff to serve on the committee and I have made those recommendations.

I also recommend that former City Council Member Evan Long continue to serve as the City's representative to the Lake Kaweah Expansion Project. He has served admirably in this capacity throughout the tenure of this project, which while substantially completed, still has review responsibilities.

For the Visalia Water Management Committee, I recommend that the alternate attend the meetings on a regular basis for informational purposes due to the technical subject matter. I would also encourage all of the alternates to the various committees/task forces to begin attending the meetings, at least for the first few months, in order to become familiar with the subject matter and in the event they are called upon to fill in for the primary member at some point.

Prior Council/Board Actions: Most of these positions were last filled in January 2008 and subsequently amended in November 3, 2008 after Councilmember Landers' employment took him out of town during the week. The list was given to the Council at their December 1, 2009 meeting for consideration for the 2009-2011 Council term.

Committee/Commission Review and Actions: N/A

Alternatives: The Council may choose different assignments.

Attachments:

Mayor Link's recommended list of Council representation on Boards/Committees

Recommended Motion (and Alternative Motions if expected): I move to approve the Mayor's recommendations to various boards and committees for the 2009-2011 Council term.

Environmental Assessment Status

CEQA Review:

NEPA Review:

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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 COUNCIL REPRESENTATION ON BOARDS/COMMITTEES 2009-2011

Board/Committee	Meeting Frequency	(2009-2011)
Air Service Sub-Committee	On Call	Link Gubler
Community Based Planning Committee (Kaweah Delta Health Care District)	On Call	Link Gubler
Consolidated Waste Management Authority	Meetings are held monthly on the 3 rd Thursday at noon at CHE Conf Room 1	Pri: Shuklian Alt: Nelsen
COS/Cities Coordination/ Education Subcommittee (4-year University Project)	On Call	Shuklian (1 only)
Council of Cities	On Call	Pri: Link Alt: Lane
Cross Valley Rail Corridor Joint Powers Authority	Annually	Pri: Shuklian Alt: Gubler
General Plan Update Review Committee	Generally meet on the 3 rd Thursday of month from 4:30-6pm at CHE Conf. Room 1	Link Lane
Lake Kaweah Expansion Project	On Call	Pri: E. Long Alt: Nelsen
Natural Resources	On Call	Shuklian Nelsen
Property Based Improvement District (PBID)	Meet monthly on the 4 th Tuesday 4:00-5:30 p.m @ 103 N. Court St.	Pri: Nelsen Alt: Salomon
San Joaquin Valley Air Pollution Control Districts Special City Selection Committee	As needed to fill vacancies on the District Board. Meetings are in Fresno at SJVAPCD	Pri: Link Alt: Shuklian
SPCA Task Force	On Call	Link/Nelsen Shuklian
Tulare Co. Association of Governments (TCAG)/Tulare Co. Transportation Authority	Monthly on the 3 rd Monday at 1 p.m. - Meetings are held in Tulare	Pri: Link Alt: Lane
Tulare Co. Economic Development Corp	Meet bi-monthly, on the 4 th Wednesday, 7:30-8:30 a.m. in Tulare	Pri: Lane Alt: Salomon
TCAG High Speed Rail Committee	Meet as needed.	Gubler Link

Board/Committee	Meeting Frequency	(2009-2011)
Visalia Water Management Committee	Meets quarterly at Kaweah Delta Water Conservation District in Farmersville. Meetings are usually from 1:30-3:00 p.m.	Pri: Nelsen Alt: Lane
Visalia Civic Facilities Authority	1/yr	Shuklian Gubler
Visalia Convention & Visitors Bureau Bd.	Meet monthly @ Marriott on 2 nd Wednesday of month 9:00 am - 10:30 am	Shuklian Lane
Visalia Economic Development Council	Monthly on the 3 rd Wednesday at 7:00 a.m. at 500 N. Santa Fe	Pri: Gubler Alt: Link
Visalia Unified School District Trustee Area Election Boundary Committee	Meet at least monthly on Tuesdays at 6 p.m. in the VUSD District Office Board Room.	Gubler (council) Caviglia (staff)

City of Visalia
Agenda Item Transmittal

Meeting Date: December 21, 2009

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

Agenda Item Wording: Award contract for the purchase of nine (9) new marked Police patrol vehicles to Surroz Motors Inc. in the amount of \$388,122.33.

Deadline for Action: None

Submitting Department: Police Department

Contact Name and Phone Number: Police Chief Colleen Mestas ext. 4215, Fleet Manager Mike Morgantini, ext. 4255, Police Specialist Randy George, ext. 4655

Department Recommendation: The Police Department recommends that the City Council award a contract for the purchase of nine (9) new marked Police patrol vehicles to Surroz Motors Inc. for the amount of \$388,122.33.

Summary: The Police Department is purchasing nine (9) new marked Police patrol units. These nine (9) vehicles are scheduled replacement vehicles that Council approved as part of the City of Visalia Budget for FY 2009/10.

The City Vehicle Replacement Policy establishes age and mileage criteria for a vehicle to be replaced. For police patrol sedans the threshold for replacement is nine (9) years and 95,000 miles. Fleet has evaluated and identified seven (7) patrol sedans and two (2) K-9 sedans that meet or exceed these criteria. The vehicles to be replaced are 1999 or 2001 Ford Crown Victoria sedans with an average mileage of 102,300. Five of the nine vehicles have been evaluated as being in poor condition with the remainder being fair. Prior to the arrival of the replacement vehicles, each vehicle will add about 10,000 miles with a corresponding increase in maintenance costs.

City policy allows for replaced vehicles to be reassigned within the city to less demanding assignments, or, if no alternative uses are found, the vehicles will be sold at auction. The College of Sequoias Public Safety Office has offered to purchase five of the nine vehicles for \$500 each. According to the City-Wide Fleet Manager, the sale of these vehicles at auction is generally around \$300. The City Manager has approved the sale of five vehicles to the College of Sequoias. Fleet Services has had no requests for any of the remaining four vehicles, and parts are not readily available for these older vehicles. The City-Wide Fleet Manager has determined that the vehicles would be sold at auction. All money received from the sale of vehicles is credited to the Vehicle Replacement Fund (5012).

The Police department has used the Ford Crown Victoria model for the past thirteen years. The Crown Victoria model will be discontinued in 2011. As an alternative, staff recommends transitioning the patrol

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _

Review:

Dept. Head _____

Finance _____

City Atty _____

City Mgr _____

fleet to the Dodge Charger. The Dodge Charger has proven to be a safe, efficient, and effective police packaged vehicle. The Los Angeles County Sheriff's perform an annual test and the Dodge Charger continually outperformed other police packaged vehicles in every category. The categories tested include braking, acceleration, fuel economy and preliminary handling. The California Highway Patrol and numerous other agencies are currently transitioning to the Dodge Charger.

The Purchasing division sought quotes for the purchase of nine (9) new marked patrol vehicles. Table 1 Charger Quote Comparison shows Lasher Dodge total price is lower than Surroz by \$6,725. However, Visalia receives 1.75% Sales Tax from every transaction completed in the City limits (1% General Sales Tax, .25% Measure T, & .50 Measure R). This means if the cars are purchased from Surroz, the City will receive \$6,792.14 back. After this calculation is done, Surroz cost to Visalia is less than Lasher Dodge by \$66.53.

Table 1 – Charger Quote Comparison

Dealership	Dealership Location	Total Price	1.75% Sales Tax Back to Visalia	Cost to Visalia	Difference
Lasher Dodge	Sacramento	\$381,396.72	\$0.00	\$381,396.72	
Surroz	Visalia	\$388,122.33	\$6,792.14	\$381,330.19	(\$66.53)
MCPeek's Dodge	Anaheim	\$409,348.30	\$0.00	\$409,348.30	

Note: For this analysis we included Measure R in the sales tax back to Visalia calculation. Measure R is only collected by businesses in Tulare County.

Funding for the nine (9) replacement vehicles comes from the Vehicle Replacement Fund (5012).

Prior Council/Board Actions: None

Committee/Commission Review and Actions:

Alternatives:

Attachments:

Recommended Motion (and Alternative Motions if expected):

I move that Council award a contract for the purchase of nine (9) new marked Police patrol vehicles to Surroz Motors Inc. in the amount of \$388,122.33

Environmental Assessment Status

CEQA Review: N/A

NEPA Review: N/A

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

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: December 21, 2009

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

Agenda Item Wording: State Model Water Efficient Landscape Ordinance implementation.

Deadline for Action: December 31, 2009

Submitting Department: Administration / Community Development

Contact Name and Phone Number:

Kim Loeb, Natural Resource Conservation Manager, 713-4530
Mike Olmos, Assistant City Manager, 713-4332
Chris Young, Community Dev. Assistant Director, 713-4392
Dennis Lehman, Chief Building Official, 713-4495

Department Recommendation:

It is recommended that the Council approve implementation of the State Ordinance through self-certification by a licensed landscape architect of documents required by the State Model Water Efficient Landscape Ordinance starting on January 1, 2010, and direct staff to develop a local version of the ordinance for adoption in 2010. Further, staff should be directed to develop a resolution to implement an administrative processing fee.

Summary:

Assembly Bill 1881 requires that cities and counties adopt the State Model Water Efficient Landscape Ordinance (MWELo), or a local ordinance at least as effective at conserving water, by January 1, 2010. However, the MWELo was not finalized until September 2009.

The MWELo requires submittal of a Landscape Documentation Package prior to start of construction and a Certificate of Completion following construction certified by a properly licensed or certified person. The MWELo applies to public and private new and rehabilitated landscape projects equal to or greater than 2,500 square feet (SF) including developer-installed single- and multi-family residential projects.

Because the final MWELo was not available until September, most jurisdictions did not have sufficient time to develop and adopt a local version of the ordinance by the January 1st deadline. The MWELo becomes effective by default for jurisdictions that have not adopted an ordinance by January 1, 2010.

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.

Staff recommends that a local version of the ordinance be developed and adopted in the first part of 2010. Until then, the state MWELo will be in effect beginning on January 1, 2010. Staff recommends that the City require applicants to self certify compliance with the MWELo by submittal of Landscape Documentation Packages and Certificates of Completion certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by the ordinance.

Self certification would occur as part of the permitting process and is recommended in the interim as the most cost-effective option until a local ordinance and administrative procedures are adopted. Alternatives to self certification include training and/or hiring staff to review the submittals. Self certification would require some staff time for processing. A resolution for establishing an administrative processing fee will be submitted to Council in January.

Background:

The State Water Resources Control Board estimates 50% of total potable urban water is used for urban landscape irrigation statewide. Urban landscape irrigation represents an even larger percentage of urban water demand in the San Joaquin Valley. Landscape irrigation is recognized as having the greatest potential for demand reduction.

The Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird) requires cities and counties, including charter cities and charter counties, to adopt landscape water conservation ordinances by January 1, 2010. The California Department of Water Resources (DWR) was directed to prepare a Model Water Efficient Landscape Ordinance (MWELo). DWR's MWELo was finalized in September 2009. Many stakeholders including the California Building Industry Association participated in the development of the MWELo.

Jurisdictions must report to the DWR by January 31, 2010, whether they have adopted the MWELo or adopted their own water efficient landscape ordinance. If the jurisdiction has adopted its own ordinance, it must submit a copy of the ordinance to DWR along with evidence that it is at least as effective in conserving water as the MWELo.

The MWELo applies to public and private new and rehabilitated landscape projects equal to or greater than 2,500 square feet (SF) including developer-installed single- and multi-family residential projects. It applies to homeowner-provided and/or homeowner-hired single- and multi-family landscape projects with a total landscape area equal to or greater to 5,000 SF.

The MWELo requires submittal of a Landscape Documentation Package prior to construction. The Landscape Documentation Package consists of:

- Project Information
- Water Efficient Landscape Worksheet – landscape area must be divided into hydrozones and water budgets calculated based on published plant factors, evapotranspiration and other factors
- Soil Management Report – consists of soil analyses as applicable
- Landscape Design Plan – identifies plant material, water features, mulch and amendments
- Irrigation Design Plan – identifies separate water meters for landscape, if used, all irrigation system components, static water pressure, flow rates at each station
- Grading Design Plan – provides finished configurations and elevations of landscape area (can be part of a comprehensive grading plan for the project)

After construction has been completed, an irrigation audit must be conducted and a Certificate of Completion must be submitted consisting of:

- Project Information
- Certifying Signature
- Irrigation Scheduling Parameters
- Landscape and Irrigation Maintenance Schedule
- Irrigation Audit Report
- Soil Analysis Report (if not included in the Landscape Documentation Package)

Existing landscapes installed before January 1, 2010, over one acre are required to have an irrigation audit. There is no reference in the MWELo regarding the timeframe for conducting these audits.

Staff recommends that a local version of the ordinance be developed and adopted in the first part of 2010. Until then, the state MWELo will be in effect beginning on January 1, 2010. This is consistent with what many other jurisdictions are doing. A local version of the ordinance should be developed to clarify areas of vagueness in the MWELo, address specific conservation measures appropriate to Visalia, and to specify the City's permitting and administrative process. Project applications submitted after January 1, 2010, will be subject to the MWELo.

As part of the self-certification process, the City would require applicants to self certify compliance with the MWELo by submittal of Landscape Documentation Packages and Certificates of Completion certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by the ordinance.

Requirements for water efficient landscape ordinances to be enacted by cities and counties, and compliance by businesses and landowners with these ordinances, are State of California legislative mandates. No State funding for these mandates is provided. All costs will be borne by local governments and parties falling under the jurisdiction of these mandates. Self certification would require some staff time for processing. A resolution for establishing an administrative processing fee will be submitted to Council in January.

Prior Council/Board Actions: None

Committee/Commission Review and Actions: None

Alternatives:

1. Adopt the State Model Water Efficient Landscape Ordinance as is and do not develop local version of the ordinance.
2. Hire and/or train staff to review submitted Landscape Documentation Packages and/or Certificates of Completion rather than implementing self certification.

Attachments:

State Model Water Efficient Landscape Ordinance

Recommended Motion (and Alternative Motions if expected):

I move to accept staff recommendation to implement self-certification of the State Model Water Efficient Landscape Ordinance beginning January 1, 2010, and to develop a local ordinance in 2010.

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:

Model Water Efficient Landscape Ordinance

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California Code of Regulations
Title 23. Waters
Division 2. Department of Water Resources
Chapter 2.7. Model Water Efficient Landscape Ordinance

§ 490. Purpose.

- (a) The State Legislature has found:
- (1) that the waters of the state are of limited supply and are subject to ever increasing demands;
 - (2) that the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;
 - (3) that it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;
 - (4) that landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development; and
 - (5) that landscape design, installation, maintenance and management can and should be water efficient; and
 - (6) that Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.
- (b) Consistent with these legislative findings, the purpose of this model ordinance is to:
- (1) promote the values and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible;
 - (2) establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects;
 - (3) establish provisions for water management practices and water waste prevention for existing landscapes;
 - (4) use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount;
 - (5) promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;
 - (6) encourage local agencies and water purveyors to use economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure; and
 - (7) encourage local agencies to designate the necessary authority that implements and enforces the provisions of the Model Water Efficient Landscape Ordinance or its local landscape ordinance.

Note: Authority cited: Section 65593, Government Code. Reference: Sections 65591, 65593, 65596, Government Code.

§ 490.1 Applicability

- (a) After January 1, 2010, this ordinance shall apply to all of the following landscape projects:

- (1) new construction and rehabilitated landscapes for public agency projects and private development projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review;
 - (2) new construction and rehabilitated landscapes which are developer-installed in single-family and multi-family projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;
 - (3) new construction landscapes which are homeowner-provided and/or homeowner-hired in single-family and multi-family residential projects with a total project landscape area equal to or greater than 5,000 square feet requiring a building or landscape permit, plan check or design review;
 - (4) existing landscapes limited to Sections 493, 493.1 and 493.2; and
 - (5) cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 492.4, 492.11 and 492.12; and existing cemeteries are limited to Sections 493, 493.1 and 493.2.
- (b) This ordinance does not apply to:
- registered local, state or federal historical sites;
 - ecological restoration projects that do not require a permanent irrigation system;
 - mined-land reclamation projects that do not require a permanent irrigation system; or
 - plant collections, as part of botanical gardens and arboretums open to the public.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 491. Definitions.

The terms used in this ordinance have the meaning set forth below:

- (a) “**applied water**” means the portion of water supplied by the irrigation system to the landscape.
- (b) “**automatic irrigation controller**” means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
- (c) “**backflow prevention device**” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- (d) “**Certificate of Completion**” means the document required under Section 492.9.
- (e) “**certified irrigation designer**” means a person certified to design irrigation systems by an accredited academic institution a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation designer certification program and Irrigation Association’s Certified Irrigation Designer program.
- (f) “**certified landscape irrigation auditor**” means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation auditor certification program and Irrigation Association’s Certified Landscape Irrigation Auditor program.
- (g) “**check valve**” or “**anti-drain valve**” means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

- (h) “**common interest developments**” means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.
- (i) “**conversion factor (0.62)**” means the number that converts acre-inches per acre per year to gallons per square foot per year
- (j) “**drip irrigation**” means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- (k) “**ecological restoration project**” means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
- (l) “**effective precipitation**” or “**usable rainfall**” (**Eppt**) means the portion of total precipitation which becomes available for plant growth.
- (m) “**emitter**” means a drip irrigation emission device that delivers water slowly from the system to the soil.
- (n) “**established landscape**” means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
- (o) “**establishment period of the plants**” means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth.
- (p) “**Estimated Total Water Use**” (**ETWU**) means the total water used for the landscape as described in Section 492.4.
- (q) “**ET adjustment factor**” (**ETAF**) means a factor of 0.7, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape.
- A combined plant mix with a site-wide average of 0.5 is the basis of the plant factor portion of this calculation. For purposes of the ETAF, the average irrigation efficiency is 0.71. Therefore, the ET Adjustment Factor is $(0.7) = (0.5/0.71)$. ETAF for a Special Landscape Area shall not exceed 1.0. ETAF for existing non-rehabilitated landscapes is 0.8.
- (r) “**evapotranspiration rate**” means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.
- (s) “**flow rate**” means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
- (t) “**hardscapes**” means any durable material (pervious and non-pervious).
- (u) “**homeowner-provided landscaping**” means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this ordinance, is a person who occupies the dwelling he or she owns. This excludes speculative homes, which are not owner-occupied dwellings.
- (v) “**hydrozone**” means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.
- (w) “**infiltration rate**” means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

- (x) “**invasive plant species**” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. “**Noxious weeds**” means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
- (y) “**irrigation audit**” means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.
- (z) “**irrigation efficiency**” (**IE**) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this ordinance is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems.
- (aa) “**irrigation survey**” means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.
- (bb) “**irrigation water use analysis**” means an analysis of water use data based on meter readings and billing data.
- (cc) “**landscape architect**” means a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.
- (dd) “**landscape area**” means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).
- (ee) “**landscape contractor**” means a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
- (ff) “**Landscape Documentation Package**” means the documents required under Section 492.3.
- (gg) “**landscape project**” means total area of landscape in a project as defined in “landscape area” for the purposes of this ordinance, meeting requirements under Section 490.1.
- (hh) “**lateral line**” means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
- (ii) “**local agency**” means a city or county, including a charter city or charter county, that is responsible for adopting and implementing the ordinance. The local agency is also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.
- (jj) “**local water purveyor**” means any entity, including a public agency, city, county, or private water company that provides retail water service.

(kk) “**low volume irrigation**” means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

(ll) “**main line**” means the pressurized pipeline that delivers water from the water source to the valve or outlet.

(mm) “**Maximum Applied Water Allowance**” (**MAWA**) means the upper limit of annual applied water for the established landscaped area as specified in Section 492.4. It is based upon the area’s reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0.

(nn) “**microclimate**” means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

(oo) “**mined-land reclamation projects**” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

(pp) “**mulch**” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

(qq) “**new construction**” means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

(rr) “**operating pressure**” means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.

(ss) “**overhead sprinkler irrigation systems**” means systems that deliver water through the air (e.g., spray heads and rotors).

(tt) “**overspray**” means the irrigation water which is delivered beyond the target area.

(uu) “**permit**” means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.

(vv) “**pervious**” means any surface or material that allows the passage of water through the material and into the underlying soil.

(ww) “**plant factor**” or “**plant water use factor**” is a factor , when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for low water use plants is 0 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the Department of Water Resources 2000 publication “Water Use Classification of Landscape Species”.

(xx) “**precipitation rate**” means the rate of application of water measured in inches per hour.

(yy) “**project applicant**” means the individual or entity submitting a Landscape Documentation Package required under Section 492.3, to request a permit, plan check, or

design review from the local agency. A project applicant may be the property owner or his or her designee.

(zz) “**rain sensor**” or “**rain sensing shutoff device**” means a component which automatically suspends an irrigation event when it rains.

(aaa) “**record drawing**” or “**as-builts**” means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

(bbb) “**recreational area**” means areas dedicated to active play such as parks, sports fields, and golf courses where turf provides a playing surface.

(ccc) “**recycled water**”, “**reclaimed water**”, or “**treated sewage effluent water**” means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

(ddd) “**reference evapotranspiration**” or “**ETo**” means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year as represented in Section 495.1, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated.

(eee) “**rehabilitated landscape**” means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 490.1, and the modified landscape area is equal to or greater than 2,500 square feet, is 50% of the total landscape area, and the modifications are completed within one year.

(fff) “**runoff**” means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

(ggg) “**soil moisture sensing device**” or “**soil moisture sensor**” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

(hhh) “**soil texture**” means the classification of soil based on its percentage of sand, silt, and clay.

(iii) “**Special Landscape Area**” (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

(jjj) “**sprinkler head**” means a device which delivers water through a nozzle.

(kkk) “**static water pressure**” means the pipeline or municipal water supply pressure when water is not flowing.

(lll) “**station**” means an area served by one valve or by a set of valves that operate simultaneously.

(mmm) “**swing joint**” means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

(nnn) “**turf**” means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.

(ooo) “**valve**” means a device used to control the flow of water in the irrigation system.

(ppp) “**water conserving plant species**” means a plant species identified as having a low plant factor.

(qqq) “**water feature**” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

(rrr) “**watering window**” means the time of day irrigation is allowed.

(sss) “**WUCOLS**” means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension, the Department of Water Resources and the Bureau of Reclamation, 2000.

Note: Authority Cited: Section 65595, Government Code. Reference: Sections 65592, 65596, Government Code.

§ 492. Provisions for New Construction or Rehabilitated Landscapes.

(a) A local agency may designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity’s specific responsibilities relating to this ordinance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.1 Compliance with Landscape Documentation Package.

(a) Prior to construction, the local agency shall:

- (1) provide the project applicant with the ordinance and procedures for permits, plan checks, or design reviews;
- (2) review the Landscape Documentation Package submitted by the project applicant;
- (3) approve or deny the Landscape Documentation Package;
- (4) issue a permit or approve the plan check or design review for the project applicant; and
- (5) upon approval of the Landscape Documentation Package, submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

(b) Prior to construction, the project applicant shall:

- (1) submit a Landscape Documentation Package to the local agency.

(c) Upon approval of the Landscape Documentation Package by the local agency, the project applicant shall:

- (1) receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;
- (2) submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
- (3) submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.2 Penalties.

- (a) A local agency may establish and administer penalties to the project applicant for non-compliance with the ordinance to the extent permitted by law.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.3 Elements of the Landscape Documentation Package.

- (a) The Landscape Documentation Package shall include the following six (6) elements:

- (1) project information;
 - (A) date
 - (B) project applicant
 - (C) project address (if available, parcel and/or lot number(s))
 - (D) total landscape area (square feet)
 - (E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - (F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
 - (G) checklist of all documents in Landscape Documentation Package
 - (H) project contacts to include contact information for the project applicant and property owner
 - (I) applicant signature and date with statement, “I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package”.
- (2) Water Efficient Landscape Worksheet;
 - (A) hydrozone information table
 - (B) water budget calculations
 1. Maximum Applied Water Allowance (MAWA)
 2. Estimated Total Water Use (ETWU)
- (3) soil management report;
- (4) landscape design plan;
- (5) irrigation design plan; and
- (6) grading design plan.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.4 Water Efficient Landscape Worksheet.

(a) A project applicant shall complete the Water Efficient Landscape Worksheet which contains two sections (see sample worksheet in Appendix B):

- (1) a hydrozone information table (see Appendix B, Section A) for the landscape project; and
- (2) a water budget calculation (see Appendix B, Section B) for the landscape project. For the calculation of the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the ETo values from the Reference Evapotranspiration Table in Appendix A. For geographic areas not covered in Appendix A, use data from other cities located nearby in the same reference evapotranspiration zone, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999.

(b) Water budget calculations shall adhere to the following requirements:

- (1) The plant factor used shall be from WUCOLS. The plant factor ranges from 0 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- (2) All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.
- (3) All Special Landscape Areas shall be identified and their water use calculated as described below.
- (4) ETAF for Special Landscape Areas shall not exceed 1.0.

(c) Maximum Applied Water Allowance

The Maximum Applied Water Allowance shall be calculated using the equation:

$$\text{MAWA} = (\text{ETo}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

The example calculations below are hypothetical to demonstrate proper use of the equations and do not represent an existing and/or planned landscape project. The ETo values used in these calculations are from the Reference Evapotranspiration Table in Appendix A, for planning purposes only. For actual irrigation scheduling, automatic irrigation controllers are required and shall use current reference evapotranspiration data, such as from the California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.

- (1) Example MAWA calculation: a hypothetical landscape project in Fresno, CA with an irrigated landscape area of 50,000 square feet without any Special Landscape Area (SLA= 0, no edible plants, recreational areas, or use of recycled water). To calculate MAWA, the annual reference evapotranspiration value for Fresno is 51.1 inches as listed in the Reference Evapotranspiration Table in Appendix A.

$$\text{MAWA} = (\text{ETo}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

0.7 = ET Adjustment Factor (ETAF)

LA = Landscape Area including SLA (square feet)

0.3 = Additional Water Allowance for SLA

SLA = Special Landscape Area (square feet)

$$\text{MAWA} = (51.1 \text{ inches}) (0.62) [(0.7 \times 50,000 \text{ square feet}) + (0.3 \times 0)]$$

= 1,108,870 gallons per year

To convert from gallons per year to hundred-cubic-feet per year:

= 1,108,870/748 = 1,482 hundred-cubic-feet per year
 (100 cubic feet = 748 gallons)

(2) In this next hypothetical example, the landscape project in Fresno, CA has the same ETo value of 51.1 inches and a total landscape area of 50,000 square feet. Within the 50,000 square foot project, there is now a 2,000 square foot area planted with edible plants. This 2,000 square foot area is considered to be a Special Landscape Area.

$$MAWA = (ET_o) (0.62) [(0.7 \times LA) + (0.3 \times SLA)]$$

$$MAWA = (51.1 \text{ inches}) (0.62) [(0.7 \times 50,000 \text{ square feet}) + (0.3 \times 2,000 \text{ square feet})]$$

$$= 31.68 \times [35,000 + 600] \text{ gallons per year}$$

$$= 31.68 \times 35,600 \text{ gallons per year}$$

$$= 1,127,808 \text{ gallons per year or } 1,508 \text{ hundred-cubic-feet per year}$$

(d) Estimated Total Water Use.

The Estimated Total Water Use shall be calculated using the equation below. The sum of the Estimated Total Water Use calculated for all hydrozones shall not exceed MAWA.

$$ETWU = (ET_o)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$$

Where:

ETWU = Estimated Total Water Use per year (gallons)

ETo = Reference Evapotranspiration (inches)

PF = Plant Factor from WUCOLS (see Section 491)

HA = Hydrozone Area [high, medium, and low water use areas] (square feet)

SLA = Special Landscape Area (square feet)

0.62 = Conversion Factor

IE = Irrigation Efficiency (minimum 0.71)

(1) Example ETWU calculation: landscape area is 50,000 square feet; plant water use type, plant factor, and hydrozone area are shown in the table below. The ETo value is 51.1 inches per year. There are no Special Landscape Areas (recreational area, area permanently and solely dedicated to edible plants, and area irrigated with recycled water) in this example.

Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)*	Hydrozone Area (HA) (square feet)	PF x HA (square feet)
1	High	0.8	7,000	5,600
2	High	0.7	10,000	7,000
3	Medium	0.5	16,000	8,000
4	Low	0.3	7,000	2,100
5	Low	0.2	10,000	2,000
			Sum	24,700

*Plant Factor from WUCOLS

$$ETWU = (51.1)(0.62) \left(\frac{24,700}{0.71} + 0 \right)$$

$$= 1,102,116 \text{ gallons per year}$$

Compare ETWU with MAWA: For this example MAWA = (51.1) (0.62) [(0.7 x 50,000) + (0.3 x 0)] = 1,108,870 gallons per year. The ETWU (1,102,116 gallons per year) is less than MAWA (1,108,870 gallons per year). In this example, the water budget complies with the MAWA.

- (2) Example ETWU calculation: total landscape area is 50,000 square feet, 2,000 square feet of which is planted with edible plants. The edible plant area is considered a Special Landscape Area (SLA). The reference evapotranspiration value is 51.1 inches per year. The plant type, plant factor, and hydrozone area are shown in the table below.

Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)*	Hydrozone Area (HA) (square feet)	PF x HA (square feet)
1	High	0.8	7,000	5,600
2	High	0.7	9,000	6,300
3	Medium	0.5	15,000	7,500
4	Low	0.3	7,000	2,100
5	Low	0.2	10,000	2,000
			Sum	23,500
6	SLA	1.0	2,000	2,000

*Plant Factor from WUCOLS

$$ETWU = (51.1)(0.62) \left(\frac{23,500}{0.71} + 2,000 \right)$$

$$= (31.68) (33,099 + 2,000)$$

$$= 1,111,936 \text{ gallons per year}$$

Compare ETWU with MAWA. For this example:

$$MAWA = (51.1) (0.62) [(0.7 \times 50,000) + (0.3 \times 2,000)]$$

$$= 31.68 \times [35,000 + 600]$$

$$= 31.68 \times 35,600$$

$$= 1,127,808 \text{ gallons per year}$$

The ETWU (1,111,936 gallons per year) is less than MAWA (1,127,808 gallons per year). For this example, the water budget complies with the MAWA.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.5 Soil Management Report.

(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

- (1) Submit soil samples to a laboratory for analysis and recommendations.
 - (A) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
 - (B) The soil analysis may include:
 1. soil texture;
 2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
 3. pH;
 4. total soluble salts;
 5. sodium;
 6. percent organic matter; and
 7. recommendations.
- (2) The project applicant, or his/her designee, shall comply with one of the following:
 - (A) If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Landscape Documentation Package; or
 - (B) If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.
- (3) The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.
- (4) The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.6 Landscape Design Plan.

(a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

- (1) Plant Material
 - (A) Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. To encourage the efficient use of water, the following is highly recommended:
 1. protection and preservation of native species and natural vegetation;
 2. selection of water-conserving plant and turf species;
 3. selection of plants based on disease and pest resistance;
 4. selection of trees based on applicable local tree ordinances or tree shading guidelines; and

5. selection of plants from local and regional landscape program plant lists.
- (B) Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 492.7(a)(2)(D).
 - (C) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. To encourage the efficient use of water, the following is highly recommended:
 - 1. use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
 - 2. recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; and
 - 3. consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
 - (D) Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
 - (E) A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches.
 - (F) The use of invasive and/or noxious plant species is strongly discouraged.
 - (G) The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
- (2) Water Features
- (A) Recirculating water systems shall be used for water features.
 - (B) Where available, recycled water shall be used as a source for decorative water features.
 - (C) Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
 - (D) Pool and spa covers are highly recommended.
- (3) Mulch and Amendments
- (A) A minimum two inch (2") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
 - (B) Stabilizing mulching products shall be used on slopes.
 - (C) The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
 - (D) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 492.5).
- (b) The landscape design plan, at a minimum, shall:

- (1) delineate and label each hydrozone by number, letter, or other method;
- (2) identify each hydrozone as low, moderate, high water, or mixed water use.
Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
- (3) identify recreational areas;
- (4) identify areas permanently and solely dedicated to edible plants;
- (5) identify areas irrigated with recycled water;
- (6) identify type of mulch and application depth;
- (7) identify soil amendments, type, and quantity;
- (8) identify type and surface area of water features;
- (9) identify hardscapes (pervious and non-pervious);
- (10) identify location and installation details of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Stormwater best management practices are encouraged in the landscape design plan and examples include, but are not limited to:
 - (A) infiltration beds, swales, and basins that allow water to collect and soak into the ground;
 - (B) constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; and
 - (C) pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff.
- (11) identify any applicable rain harvesting or catchment technologies (e.g., rain gardens, cisterns, etc.);
- (12) contain the following statement: “I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan”; and
- (13) bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.)

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code and Section 1351, Civil Code.

§ 492.7 Irrigation Design Plan.

(a) For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers’ recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) System

- (A) Dedicated landscape water meters are highly recommended on landscape areas smaller than 5,000 square feet to facilitate water management.
- (B) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data shall be required for irrigation scheduling in all irrigation systems.

- (C) The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
 2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
- (D) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
- (E) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
- (F) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.
- (G) High flow sensors that detect and report high flow conditions created by system damage or malfunction are recommended.
- (H) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- (I) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
- (J) The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
- (K) The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 492.4 regarding the Maximum Applied Water Allowance.
- (L) It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
- (M) In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
- (N) Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

- (O) Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
 - (P) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to high traffic areas.
 - (Q) Check valves or anti-drain valves are required for all irrigation systems.
 - (R) Narrow or irregularly shaped areas, including turf, less than eight (8) feet in width in any direction shall be irrigated with subsurface irrigation or low volume irrigation system.
 - (S) Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
 - 1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
 - 2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 - 3. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 492.7 (a)(1)(H). Prevention of overspray and runoff must be confirmed during the irrigation audit.
 - (T) Slopes greater than 25% shall not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.
- (2) Hydrozone
- (A) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
 - (B) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
 - (C) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf.
 - (D) Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:
 - 1. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
 - 2. the plant factor of the higher water using plant is used for calculations.
 - (E) Individual hydrozones that mix high and low water use plants shall not be permitted.
 - (F) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Appendix B

Section A). This table can also assist with the irrigation audit and programming the controller.

(b) The irrigation design plan, at a minimum, shall contain:

- (1) location and size of separate water meters for landscape;
- (2) location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
- (3) static water pressure at the point of connection to the public water supply;
- (4) flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
- (5) recycled water irrigation systems as specified in Section 492.14;
- (6) the following statement: “I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan”; and
- (7) the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.8 Grading Design Plan.

(a) For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement.

- (1) The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:
 - (A) height of graded slopes;
 - (B) drainage patterns;
 - (C) pad elevations;
 - (D) finish grade; and
 - (E) stormwater retention improvements, if applicable.
- (2) To prevent excessive erosion and runoff, it is highly recommended that project applicants:
 - (A) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
 - (B) avoid disruption of natural drainage patterns and undisturbed soil; and
 - (C) avoid soil compaction in landscape areas.
- (3) The grading design plan shall contain the following statement: “I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the grading design plan” and shall bear the signature of a licensed professional as authorized by law.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.9 Certificate of Completion.

(a) The Certificate of Completion (see Appendix C for a sample certificate) shall include the following six (6) elements:

- (1) project information sheet that contains:
 - (A) date;
 - (B) project name;
 - (C) project applicant name, telephone, and mailing address;
 - (D) project address and location; and
 - (E) property owner name, telephone, and mailing address;
- (2) certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;
 - (A) where there have been significant changes made in the field during construction, these “as-built” or record drawings shall be included with the certification;
- (3) irrigation scheduling parameters used to set the controller (see Section 492.10);
- (4) landscape and irrigation maintenance schedule (see Section 492.11);
- (5) irrigation audit report (see Section 492.12); and
- (6) soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 492.5).

(b) The project applicant shall:

- (1) submit the signed Certificate of Completion to the local agency for review;
- (2) ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.

(c) The local agency shall:

- (1) receive the signed Certificate of Completion from the project applicant;
- (2) approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the local agency shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.10 Irrigation Scheduling.

(a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health.

Irrigation schedules shall meet the following criteria:

- (1) Irrigation scheduling shall be regulated by automatic irrigation controllers.
- (2) Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

- (3) For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.
- (4) Parameters used to set the automatic controller shall be developed and submitted for each of the following:
 - (A) the plant establishment period;
 - (B) the established landscape; and
 - (C) temporarily irrigated areas.
- (5) Each irrigation schedule shall consider for each station all of the following that apply:
 - (A) irrigation interval (days between irrigation);
 - (B) irrigation run times (hours or minutes per irrigation event to avoid runoff);
 - (C) number of cycle starts required for each irrigation event to avoid runoff;
 - (D) amount of applied water scheduled to be applied on a monthly basis;
 - (E) application rate setting;
 - (F) root depth setting;
 - (G) plant type setting;
 - (H) soil type;
 - (I) slope factor setting;
 - (J) shade factor setting; and
 - (K) irrigation uniformity or efficiency setting.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.11 Landscape and Irrigation Maintenance Schedule.

- (a) Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
- (b) A regular maintenance schedule shall include, but not be limited to, routine inspection; adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing and obstruction to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
- (c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents.
- (d) A project applicant is encouraged to implement sustainable or environmentally-friendly practices for overall landscape maintenance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.12 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

- (a) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

(b) For new construction and rehabilitated landscape projects installed after January 1, 2010, as described in Section 490.1:

- (1) the project applicant shall submit an irrigation audit report with the Certificate of Completion to the local agency that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule;
- (2) the local agency shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.13 Irrigation Efficiency.

(a) For the purpose of determining Maximum Applied Water Allowance, average irrigation efficiency is assumed to be 0.71. Irrigation systems shall be designed, maintained, and managed to meet or exceed an average landscape irrigation efficiency of 0.71.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.14 Recycled Water.

(a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water, unless a written exemption has been granted as described in Section 492.14(b).

(b) Irrigation systems and decorative water features shall use recycled water unless a written exemption has been granted by the local water purveyor stating that recycled water meeting all public health codes and standards is not available and will not be available for the foreseeable future.

(c) All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.

(d) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for Special Landscape Areas shall not exceed 1.0.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.15 Stormwater Management.

(a) Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site retention and infiltration are encouraged.

(b) Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater ordinances and stormwater management plans.

(c) Rain gardens, cisterns, and other landscapes features and practices that increase rainwater capture and create opportunities for infiltration and/or onsite storage are recommended.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.16 Public Education.

(a) Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.

(1) A local agency shall provide information to owners of new, single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes.

(b) Model Homes. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.

(1) Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme.

(2) Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.17 Environmental Review.

(a) The local agency must comply with the California Environmental Quality Act (CEQA), as appropriate.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21080, 21082, Public Resources Code.

§ 493. Provisions for Existing Landscapes.

(a) A local agency may designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 493.1 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(a) This section, 493.1, shall apply to all existing landscapes that were installed before January 1, 2010 and are over one acre in size.

(1) For all landscapes in 493.1(a) that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as:

$$MAWA = (0.8) (ET_o)(LA)(0.62).$$

(2) For all landscapes in 493.1(a), that do not have a meter, the local agency shall administer programs that may include, but not be limited to, irrigation surveys and

irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.

(b) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 493.2 Water Waste Prevention.

(a) Local agencies shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. Penalties for violation of these prohibitions shall be established locally.

(b) Restrictions regarding overspray and runoff may be modified if:

(1) the landscape area is adjacent to permeable surfacing and no runoff occurs; or

(2) the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

Note: Authority cited: Section 65594, Government Code. Reference: Section 65596, Government Code.

§ 494. Effective Precipitation.

(a) A local agency may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate Maximum Applied Water Allowance:

$$\text{MAWA} = (\text{ETo} - \text{Eppt}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})].$$

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

Appendices.

Appendix A. Reference Evapotranspiration (ET_o) Table.

Appendix A - Reference Evapotranspiration (ETo) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
ALAMEDA													
Fremont	1.5	1.9	3.4	4.7	5.4	6.3	6.7	6.0	4.5	3.4	1.8	1.5	47.0
Livermore	1.2	1.5	2.9	4.4	5.9	6.6	7.4	6.4	5.3	3.2	1.5	0.9	47.2
Oakland	1.5	1.5	2.8	3.9	5.1	5.3	6.0	5.5	4.8	3.1	1.4	0.9	41.8
Oakland Foothills	1.1	1.4	2.7	3.7	5.1	6.4	5.8	4.9	3.6	2.6	1.4	1.0	39.6
Pleasanton	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
Union City	1.4	1.8	3.1	4.2	5.4	5.9	6.4	5.7	4.4	3.1	1.5	1.2	44.2
ALPINE													
Markleeville	0.7	0.9	2.0	3.5	5.0	6.1	7.3	6.4	4.4	2.6	1.2	0.5	40.6
AMADOR													
Jackson	1.2	1.5	2.8	4.4	6.0	7.2	7.9	7.2	5.3	3.2	1.4	0.9	48.9
Shanandoah Valley	1.0	1.7	2.9	4.4	5.6	6.8	7.9	7.1	5.2	3.6	1.7	1.0	48.8
BUTTE													
Chico	1.2	1.8	2.9	4.7	6.1	7.4	8.5	7.3	5.4	3.7	1.7	1.0	51.7
Durham	1.1	1.8	3.2	5.0	6.5	7.4	7.8	6.9	5.3	3.6	1.7	1.0	51.1
Gridley	1.2	1.8	3.0	4.7	6.1	7.7	8.5	7.1	5.4	3.7	1.7	1.0	51.9
Oroville	1.2	1.7	2.8	4.7	6.1	7.6	8.5	7.3	5.3	3.7	1.7	1.0	51.5
CALAVERAS													
San Andreas	1.2	1.5	2.8	4.4	6.0	7.3	7.9	7.0	5.3	3.2	1.4	0.7	48.8
COLUSA													
Colusa	1.0	1.7	3.4	5.0	6.4	7.6	8.3	7.2	5.4	3.8	1.8	1.1	52.8
Williams	1.2	1.7	2.9	4.5	6.1	7.2	8.5	7.3	5.3	3.4	1.6	1.0	50.8
CONTRA COSTA													
Benicia	1.3	1.4	2.7	3.8	4.9	5.0	6.4	5.5	4.4	2.9	1.2	0.7	40.3
Brentwood	1.0	1.5	2.9	4.5	6.1	7.1	7.9	6.7	5.2	3.2	1.4	0.7	48.3
Concord	1.1	1.4	2.4	4.0	5.5	5.9	7.0	6.0	4.8	3.2	1.3	0.7	43.4
Courtland	0.9	1.5	2.9	4.4	6.1	6.9	7.9	6.7	5.3	3.2	1.4	0.7	48.0
Martinez	1.2	1.4	2.4	3.9	5.3	5.6	6.7	5.6	4.7	3.1	1.2	0.7	41.8
Moraga	1.2	1.5	3.4	4.2	5.5	6.1	6.7	5.9	4.6	3.2	1.6	1.0	44.9
Pittsburg	1.0	1.5	2.8	4.1	5.6	6.4	7.4	6.4	5.0	3.2	1.3	0.7	45.4
Walnut Creek	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
DEL NORTE													
Crescent City	0.5	0.9	2.0	3.0	3.7	3.5	4.3	3.7	3.0	2.0	0.9	0.5	27.7
EL DORADO													
Camino	0.9	1.7	2.5	3.9	5.9	7.2	7.8	6.8	5.1	3.1	1.5	0.9	47.3
FRESNO													
Clovis	1.0	1.5	3.2	4.8	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Coalinga	1.2	1.7	3.1	4.6	6.2	7.2	8.5	7.3	5.3	3.4	1.6	0.7	50.9
Firebaugh	1.0	1.8	3.7	5.7	7.3	8.1	8.2	7.2	5.5	3.9	2.0	1.1	55.4
FivePoints	1.3	2.0	4.0	6.1	7.7	8.5	8.7	8.0	6.2	4.5	2.4	1.2	60.4
Fresno	0.9	1.7	3.3	4.8	6.7	7.8	8.4	7.1	5.2	3.2	1.4	0.6	51.1
Fresno State	0.9	1.6	3.2	5.2	7.0	8.0	8.7	7.6	5.4	3.6	1.7	0.9	53.7
Friant	1.2	1.5	3.1	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Kerman	0.9	1.5	3.2	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.2
Kingsburg	1.0	1.5	3.4	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.6
Mendota	1.5	2.5	4.6	6.2	7.9	8.6	8.8	7.5	5.9	4.5	2.4	1.5	61.7
Orange Cove	1.2	1.9	3.5	4.7	7.4	8.5	8.9	7.9	5.9	3.7	1.8	1.2	56.7
Panoche	1.1	2.0	4.0	5.6	7.8	8.5	8.3	7.3	5.6	3.9	1.8	1.2	57.2
Parlier	1.0	1.9	3.6	5.2	6.8	7.6	8.1	7.0	5.1	3.4	1.7	0.9	52.0
Reedley	1.1	1.5	3.2	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Westlands	0.9	1.7	3.8	6.3	8.0	8.6	8.6	7.8	5.9	4.3	2.1	1.1	58.8

Appendix A - Reference Evapotranspiration (ETo) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
GLENN													
Orland	1.1	1.8	3.4	5.0	6.4	7.5	7.9	6.7	5.3	3.9	1.8	1.4	52.1
Willows	1.2	1.7	2.9	4.7	6.1	7.2	8.5	7.3	5.3	3.6	1.7	1.0	51.3
HUMBOLDT													
Eureka	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Ferndale	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Garberville	0.6	1.2	2.2	3.1	4.5	5.0	5.5	4.9	3.8	2.4	1.0	0.7	34.9
Hoopla	0.5	1.1	2.1	3.0	4.4	5.4	6.1	5.1	3.8	2.4	0.9	0.7	35.6
IMPERIAL													
Brawley	2.8	3.8	5.9	8.0	10.4	11.5	11.7	10.0	8.4	6.2	3.5	2.1	84.2
Calipatria/Mulberry	2.4	3.2	5.1	6.8	8.6	9.2	9.2	8.6	7.0	5.2	3.1	2.3	70.7
El Centro	2.7	3.5	5.6	7.9	10.1	11.1	11.6	9.5	8.3	6.1	3.3	2.0	81.7
Holtville	2.8	3.8	5.9	7.9	10.4	11.6	12.0	10.0	8.6	6.2	3.5	2.1	84.7
Meloland	2.5	3.2	5.5	7.5	8.9	9.2	9.0	8.5	6.8	5.3	3.1	2.2	71.6
Palo Verde II	2.5	3.3	5.7	6.9	8.5	8.9	8.6	7.9	6.2	4.5	2.9	2.3	68.2
Seeley	2.7	3.5	5.9	7.7	9.7	10.1	9.3	8.3	6.9	5.5	3.4	2.2	75.4
Westmoreland	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Yuma	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
INYO													
Bishop	1.7	2.7	4.8	6.7	8.2	10.9	7.4	9.6	7.4	4.8	2.5	1.6	68.3
Death Valley Jct	2.2	3.3	5.4	7.7	9.8	11.1	11.4	10.1	8.3	5.4	2.9	1.7	79.1
Independence	1.7	2.7	3.4	6.6	8.5	9.5	9.8	8.5	7.1	3.9	2.0	1.5	65.2
Lower Haiwee Res.	1.8	2.7	4.4	7.1	8.5	9.5	9.8	8.5	7.1	4.2	2.6	1.5	67.6
Oasis	2.7	2.8	5.9	8.0	10.4	11.7	11.6	10.0	8.4	6.2	3.4	2.1	83.1
KERN													
Arvin	1.2	1.8	3.5	4.7	6.6	7.4	8.1	7.3	5.3	3.4	1.7	1.0	51.9
Bakersfield	1.0	1.8	3.5	4.7	6.6	7.7	8.5	7.3	5.3	3.5	1.6	0.9	52.4
Bakersfield/Bonanza	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Bakersfield/Greenlee	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Belridge	1.4	2.2	4.1	5.5	7.7	8.5	8.6	7.8	6.0	3.8	2.0	1.5	59.2
Blackwells Corner	1.4	2.1	3.8	5.4	7.0	7.8	8.5	7.7	5.8	3.9	1.9	1.2	56.6
Buttonwillow	1.0	1.8	3.2	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.5	0.9	52.0
China Lake	2.1	3.2	5.3	7.7	9.2	10.0	11.0	9.8	7.3	4.9	2.7	1.7	74.8
Delano	0.9	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.4	0.7	52.0
Famoso	1.3	1.9	3.5	4.8	6.7	7.6	8.0	7.3	5.5	3.5	1.7	1.3	53.1
Grapevine	1.3	1.8	3.1	4.4	5.6	6.8	7.6	6.8	5.9	3.4	1.9	1.0	49.5
Inyokern	2.0	3.1	4.9	7.3	8.5	9.7	11.0	9.4	7.1	5.1	2.6	1.7	72.4
Isabella Dam	1.2	1.4	2.8	4.4	5.8	7.3	7.9	7.0	5.0	3.2	1.7	0.9	48.4
Lamont	1.3	2.4	4.4	4.6	6.5	7.0	8.8	7.6	5.7	3.7	1.6	0.8	54.4
Lost Hills	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
McFarland/Kern	1.2	2.1	3.7	5.6	7.3	8.0	8.3	7.4	5.6	4.1	2.0	1.2	56.5
Shafter	1.0	1.7	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.5	0.9	52.1
Taft	1.3	1.8	3.1	4.3	6.2	7.3	8.5	7.3	5.4	3.4	1.7	1.0	51.2
Tehachapi	1.4	1.8	3.2	5.0	6.1	7.7	7.9	7.3	5.9	3.4	2.1	1.2	52.9
KINGS													
Caruthers	1.6	2.5	4.0	5.7	7.8	8.7	9.3	8.4	6.3	4.4	2.4	1.6	62.7
Corcoran	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Hanford	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.2	5.4	3.4	1.4	0.7	51.5
Kettleman	1.1	2.0	4.0	6.0	7.5	8.5	9.1	8.2	6.1	4.5	2.2	1.1	60.2
Lemoore	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.4	0.7	51.7
Stratford	0.9	1.9	3.9	6.1	7.8	8.6	8.8	7.7	5.9	4.1	2.1	1.0	58.7

Appendix A - Reference Evapotranspiration (ETo) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
LAKE													
Lakeport	1.1	1.3	2.6	3.5	5.1	6.0	7.3	6.1	4.7	2.9	1.2	0.9	42.8
Lower Lake	1.2	1.4	2.7	4.5	5.3	6.3	7.4	6.4	5.0	3.1	1.3	0.9	45.4
LASSEN													
Buntingville	1.0	1.7	3.5	4.9	6.2	7.3	8.4	7.5	5.4	3.4	1.5	0.9	51.8
Ravendale	0.6	1.1	2.3	4.1	5.6	6.7	7.9	7.3	4.7	2.8	1.2	0.5	44.9
Susanville	0.7	1.0	2.2	4.1	5.6	6.5	7.8	7.0	4.6	2.8	1.2	0.5	44.0
LOS ANGELES													
Burbank	2.1	2.8	3.7	4.7	5.1	6.0	6.6	6.7	5.4	4.0	2.6	2.0	51.7
Claremont	2.0	2.3	3.4	4.6	5.0	6.0	7.0	7.0	5.3	4.0	2.7	2.1	51.3
El Dorado	1.7	2.2	3.6	4.8	5.1	5.7	5.9	5.9	4.4	3.2	2.2	1.7	46.3
Glendale	2.0	2.2	3.3	3.8	4.7	4.8	5.7	5.6	4.3	3.3	2.2	1.8	43.7
Glendora	2.0	2.5	3.6	4.9	5.4	6.1	7.3	6.8	5.7	4.2	2.6	2.0	53.1
Gorman	1.6	2.2	3.4	4.6	5.5	7.4	7.7	7.1	5.9	3.6	2.4	1.1	52.4
Hollywood Hills	2.1	2.2	3.8	5.4	6.0	6.5	6.7	6.4	5.2	3.7	2.8	2.1	52.8
Lancaster	2.1	3.0	4.6	5.9	8.5	9.7	11.0	9.8	7.3	4.6	2.8	1.7	71.1
Long Beach	1.8	2.1	3.3	3.9	4.5	4.3	5.3	4.7	3.7	2.8	1.8	1.5	39.7
Los Angeles	2.2	2.7	3.7	4.7	5.5	5.8	6.2	5.9	5.0	3.9	2.6	1.9	50.1
Monrovia	2.2	2.3	3.8	4.3	5.5	5.9	6.9	6.4	5.1	3.2	2.5	2.0	50.2
Palmdale	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
Pasadena	2.1	2.7	3.7	4.7	5.1	6.0	7.1	6.7	5.6	4.2	2.6	2.0	52.3
Pearblossom	1.7	2.4	3.7	4.7	7.3	7.7	9.9	7.9	6.4	4.0	2.6	1.6	59.9
Pomona	1.7	2.0	3.4	4.5	5.0	5.8	6.5	6.4	4.7	3.5	2.3	1.7	47.5
Redondo Beach	2.2	2.4	3.3	3.8	4.5	4.7	5.4	4.8	4.4	2.8	2.4	2.0	42.6
San Fernando	2.0	2.7	3.5	4.6	5.5	5.9	7.3	6.7	5.3	3.9	2.6	2.0	52.0
Santa Clarita	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Santa Monica	1.8	2.1	3.3	4.5	4.7	5.0	5.4	5.4	3.9	3.4	2.4	2.2	44.2
MADERA													
Chowchilla	1.0	1.4	3.2	4.7	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Madera	0.9	1.4	3.2	4.8	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.5
Raymond	1.2	1.5	3.0	4.6	6.1	7.6	8.4	7.3	5.2	3.4	1.4	0.7	50.5
MARIN													
Black Point	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
Novato	1.3	1.5	2.4	3.5	4.4	6.0	5.9	5.4	4.4	2.8	1.4	0.7	39.8
Point San Pedro	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
San Rafael	1.2	1.3	2.4	3.3	4.0	4.8	4.8	4.9	4.3	2.7	1.3	0.7	35.8
MARIPOSA													
Coulterville	1.1	1.5	2.8	4.4	5.9	7.3	8.1	7.0	5.3	3.4	1.4	0.7	48.8
Mariposa	1.1	1.5	2.8	4.4	5.9	7.4	8.2	7.1	5.0	3.4	1.4	0.7	49.0
Yosemite Village	0.7	1.0	2.3	3.7	5.1	6.5	7.1	6.1	4.4	2.9	1.1	0.6	41.4
MENDOCINO													
Fort Bragg	0.9	1.3	2.2	3.0	3.7	3.5	3.7	3.7	3.0	2.3	1.2	0.7	29.0
Hopland	1.1	1.3	2.6	3.4	5.0	5.9	6.5	5.7	4.5	2.8	1.3	0.7	40.9
Point Arena	1.0	1.3	2.3	3.0	3.7	3.9	3.7	3.7	3.0	2.3	1.2	0.7	29.6
Sanel Valley	1.0	1.6	3.0	4.6	6.0	7.0	8.0	7.0	5.2	3.4	1.4	0.9	49.1
Ukiah	1.0	1.3	2.6	3.3	5.0	5.8	6.7	5.9	4.5	2.8	1.3	0.7	40.9
MERCED													
Kesterson	0.9	1.7	3.4	5.5	7.3	8.2	8.6	7.4	5.5	3.8	1.8	0.9	55.1
Los Banos	1.0	1.5	3.2	4.7	6.1	7.4	8.2	7.0	5.3	3.4	1.4	0.7	50.0
Merced	1.0	1.5	3.2	4.7	6.6	7.9	8.5	7.2	5.3	3.4	1.4	0.7	51.5

Appendix A - Reference Evapotranspiration (ETo) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
MODOC													
Modoc/Alturas	0.9	1.4	2.8	3.7	5.1	6.2	7.5	6.6	4.6	2.8	1.2	0.7	43.2
MONO													
Bridgeport	0.7	0.9	2.2	3.8	5.5	6.6	7.4	6.7	4.7	2.7	1.2	0.5	43.0
MONTEREY													
Arroyo Seco	1.5	2.0	3.7	5.4	6.3	7.3	7.2	6.7	5.0	3.9	2.0	1.6	52.6
Castroville	1.4	1.7	3.0	4.2	4.6	4.8	4.0	3.8	3.0	2.6	1.6	1.4	36.2
Gonzales	1.3	1.7	3.4	4.7	5.4	6.3	6.3	5.9	4.4	3.4	1.9	1.3	45.7
Greenfield	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
King City	1.7	2.0	3.4	4.4	4.4	5.6	6.1	6.7	6.5	5.2	2.2	1.3	49.6
King City-Oasis Rd.	1.4	1.9	3.6	5.3	6.5	7.3	7.4	6.8	5.1	4.0	2.0	1.5	52.7
Long Valley	1.5	1.9	3.2	4.1	5.8	6.5	7.3	6.7	5.3	3.6	2.0	1.2	49.1
Monterey	1.7	1.8	2.7	3.5	4.0	4.1	4.3	4.2	3.5	2.8	1.9	1.5	36.0
Pajaro	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.1
Salinas	1.6	1.9	2.7	3.8	4.8	4.7	5.0	4.5	4.0	2.9	1.9	1.3	39.1
Salinas North	1.2	1.5	2.9	4.1	4.6	5.2	4.5	4.3	3.2	2.8	1.5	1.2	36.9
San Ardo	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
San Juan	1.8	2.1	3.4	4.6	5.3	5.7	5.5	4.9	3.8	3.2	2.2	1.9	44.2
Soledad	1.7	2.0	3.4	4.4	5.5	5.4	6.5	6.2	5.2	3.7	2.2	1.5	47.7
NAPA													
Angwin	1.8	1.9	3.2	4.7	5.8	7.3	8.1	7.1	5.5	4.5	2.9	2.1	54.9
Carneros	0.8	1.5	3.1	4.6	5.5	6.6	6.9	6.2	4.7	3.5	1.4	1.0	45.8
Oakville	1.0	1.5	2.9	4.7	5.8	6.9	7.2	6.4	4.9	3.5	1.6	1.2	47.7
St Helena	1.2	1.5	2.8	3.9	5.1	6.1	7.0	6.2	4.8	3.1	1.4	0.9	44.1
Yountville	1.3	1.7	2.8	3.9	5.1	6.0	7.1	6.1	4.8	3.1	1.5	0.9	44.3
NEVADA													
Grass Valley	1.1	1.5	2.6	4.0	5.7	7.1	7.9	7.1	5.3	3.2	1.5	0.9	48.0
Nevada City	1.1	1.5	2.6	3.9	5.8	6.9	7.9	7.0	5.3	3.2	1.4	0.9	47.4
ORANGE													
Irvine	2.2	2.5	3.7	4.7	5.2	5.9	6.3	6.2	4.6	3.7	2.6	2.3	49.6
Laguna Beach	2.2	2.7	3.4	3.8	4.6	4.6	4.9	4.9	4.4	3.4	2.4	2.0	43.2
Santa Ana	2.2	2.7	3.7	4.5	4.6	5.4	6.2	6.1	4.7	3.7	2.5	2.0	48.2
PLACER													
Auburn	1.2	1.7	2.8	4.4	6.1	7.4	8.3	7.3	5.4	3.4	1.6	1.0	50.6
Blue Canyon	0.7	1.1	2.1	3.4	4.8	6.0	7.2	6.1	4.6	2.9	0.9	0.6	40.5
Colfax	1.1	1.5	2.6	4.0	5.8	7.1	7.9	7.0	5.3	3.2	1.4	0.9	47.9
Roseville	1.1	1.7	3.1	4.7	6.2	7.7	8.5	7.3	5.6	3.7	1.7	1.0	52.2
Soda Springs	0.7	0.7	1.8	3.0	4.3	5.3	6.2	5.5	4.1	2.5	0.7	0.7	35.4
Tahoe City	0.7	0.7	1.7	3.0	4.3	5.4	6.1	5.6	4.1	2.4	0.8	0.6	35.5
Truckee	0.7	0.7	1.7	3.2	4.4	5.4	6.4	5.7	4.1	2.4	0.8	0.6	36.2
PLUMAS													
Portola	0.7	0.9	1.9	3.5	4.9	5.9	7.3	5.9	4.3	2.7	0.9	0.5	39.4
Quincy	0.7	0.9	2.2	3.5	4.9	5.9	7.3	5.9	4.4	2.8	1.2	0.5	40.2
RIVERSIDE													
Beaumont	2.0	2.3	3.4	4.4	6.1	7.1	7.6	7.9	6.0	3.9	2.6	1.7	55.0
Blythe	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Cathedral City	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Coachella	2.9	4.4	6.2	8.4	10.5	11.9	12.3	10.1	8.9	6.2	3.8	2.4	88.1
Desert Center	2.9	4.1	6.4	8.5	11.0	12.1	12.2	11.1	9.0	6.4	3.9	2.6	90.0
Elsinore	2.1	2.8	3.9	4.4	5.9	7.1	7.6	7.0	5.8	3.9	2.6	1.9	55.0
Indio	3.1	3.6	6.5	8.3	10.5	11.0	10.8	9.7	8.3	5.9	3.7	2.7	83.9

Appendix A - Reference Evapotranspiration (ET_o) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET_o
RIVERSIDE													
La Quinta	2.4	2.8	5.2	6.5	8.3	8.7	8.5	7.9	6.5	4.5	2.7	2.2	66.2
Mecca	2.6	3.3	5.7	7.2	8.6	9.0	8.8	8.2	6.8	5.0	3.2	2.4	70.8
Oasis	2.9	3.3	5.3	6.1	8.5	8.9	8.7	7.9	6.9	4.8	2.9	2.3	68.4
Palm Deser	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
Palm Springs	2.0	2.9	4.9	7.2	8.3	8.5	11.6	8.3	7.2	5.9	2.7	1.7	71.1
Rancho California	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
Rancho Mirage	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Ripley	2.7	3.3	5.6	7.2	8.7	8.7	8.4	7.6	6.2	4.6	2.8	2.2	67.8
Salton Sea North	2.5	3.3	5.5	7.2	8.8	9.3	9.2	8.5	6.8	5.2	3.1	2.3	71.7
Temecula East II	2.3	2.4	4.1	4.9	6.4	7.0	7.8	7.4	5.7	4.1	2.6	2.2	56.7
Thermal	2.4	3.3	5.5	7.6	9.1	9.6	9.3	8.6	7.1	5.2	3.1	2.1	72.8
Riverside UC	2.5	2.9	4.2	5.3	5.9	6.6	7.2	6.9	5.4	4.1	2.9	2.6	56.4
Winchester	2.3	2.4	4.1	4.9	6.4	6.9	7.7	7.5	6.0	3.9	2.6	2.1	56.8
SACRAMENTO													
Fair Oaks	1.0	1.6	3.4	4.1	6.5	7.5	8.1	7.1	5.2	3.4	1.5	1.0	50.5
Sacramento	1.0	1.8	3.2	4.7	6.4	7.7	8.4	7.2	5.4	3.7	1.7	0.9	51.9
Twitchell Island	1.2	1.8	3.9	5.3	7.4	8.8	9.1	7.8	5.9	3.8	1.7	1.2	57.9
SAN BENITO													
Hollister	1.5	1.8	3.1	4.3	5.5	5.7	6.4	5.9	5.0	3.5	1.7	1.1	45.1
San Benito	1.2	1.6	3.1	4.6	5.6	6.4	6.9	6.5	4.8	3.7	1.7	1.2	47.2
San Juan Valley	1.4	1.8	3.4	4.5	6.0	6.7	7.1	6.4	5.0	3.5	1.8	1.4	49.1
SAN BERNARDINO													
Baker	2.7	3.9	6.1	8.3	10.4	11.8	12.2	11.0	8.9	6.1	3.3	2.1	86.6
Barstow NE	2.2	2.9	5.3	6.9	9.0	10.1	9.9	8.9	6.8	4.8	2.7	2.1	71.7
Big Bear Lake	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Chino	2.1	2.9	3.9	4.5	5.7	6.5	7.3	7.1	5.9	4.2	2.6	2.0	54.6
Crestline	1.5	1.9	3.3	4.4	5.5	6.6	7.8	7.1	5.4	3.5	2.2	1.6	50.8
Lake Arrowhead	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Lucerne Valley	2.2	2.9	5.1	6.5	9.1	11.0	11.4	9.9	7.4	5.0	3.0	1.8	75.3
Needles	3.2	4.2	6.6	8.9	11.0	12.4	12.8	11.0	8.9	6.6	4.0	2.7	92.1
Newberry Springs	2.1	2.9	5.3	8.4	9.8	10.9	11.1	9.9	7.6	5.2	3.1	2.0	78.2
San Bernardino	2.0	2.7	3.8	4.6	5.7	6.9	7.9	7.4	5.9	4.2	2.6	2.0	55.6
Twentynine Palms	2.6	3.6	5.9	7.9	10.1	11.2	11.2	10.3	8.6	5.9	3.4	2.2	82.9
Victorville	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
SAN DIEGO													
Chula Vista	2.2	2.7	3.4	3.8	4.9	4.7	5.5	4.9	4.5	3.4	2.4	2.0	44.2
Escondido SPV	2.4	2.6	3.9	4.7	5.9	6.5	7.1	6.7	5.3	3.9	2.8	2.3	54.2
Miramar	2.3	2.5	3.7	4.1	5.1	5.4	6.1	5.8	4.5	3.3	2.4	2.1	47.1
Oceanside	2.2	2.7	3.4	3.7	4.9	4.6	4.6	5.1	4.1	3.3	2.4	2.0	42.9
Otay Lake	2.3	2.7	3.9	4.6	5.6	5.9	6.2	6.1	4.8	3.7	2.6	2.2	50.4
Pine Valley	1.5	2.4	3.8	5.1	6.0	7.0	7.8	7.3	6.0	4.0	2.2	1.7	54.8
Ramona	2.1	2.1	3.4	4.6	5.2	6.3	6.7	6.8	5.3	4.1	2.8	2.1	51.6
San Diego	2.1	2.4	3.4	4.6	5.1	5.3	5.7	5.6	4.3	3.6	2.4	2.0	46.5
Santee	2.1	2.7	3.7	4.5	5.5	6.1	6.6	6.2	5.4	3.8	2.6	2.0	51.1
Torrey Pines	2.2	2.3	3.4	3.9	4.0	4.1	4.6	4.7	3.8	2.8	2.0	2.0	39.8
Warner Springs	1.6	2.7	3.7	4.7	5.7	7.6	8.3	7.7	6.3	4.0	2.5	1.3	56.0
SAN FRANCISCO													
San Francisco	1.5	1.3	2.4	3.0	3.7	4.6	4.9	4.8	4.1	2.8	1.3	0.7	35.1
SAN JOAQUIN													
Farmington	1.5	1.5	2.9	4.7	6.2	7.6	8.1	6.8	5.3	3.3	1.4	0.7	50.0

Appendix A - Reference Evapotranspiration (ET_o) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET_o
SAN JOAQUIN													
Lodi West	1.0	1.6	3.3	4.3	6.3	6.9	7.3	6.4	4.5	3.0	1.4	0.8	46.7
Manteca	0.9	1.7	3.4	5.0	6.5	7.5	8.0	7.1	5.2	3.3	1.6	0.9	51.2
Stockton	0.8	1.5	2.9	4.7	6.2	7.4	8.1	6.8	5.3	3.2	1.4	0.6	49.1
Tracy	1.0	1.5	2.9	4.5	6.1	7.3	7.9	6.7	5.3	3.2	1.3	0.7	48.5
SAN LUIS OBISPO													
Arroyo Grande	2.0	2.2	3.2	3.8	4.3	4.7	4.3	4.6	3.8	3.2	2.4	1.7	40.0
Atascadero	1.2	1.5	2.8	3.9	4.5	6.0	6.7	6.2	5.0	3.2	1.7	1.0	43.7
Morro Bay	2.0	2.2	3.1	3.5	4.3	4.5	4.6	4.6	3.8	3.5	2.1	1.7	39.9
Nipomo	2.2	2.5	3.8	5.1	5.7	6.2	6.4	6.1	4.9	4.1	2.9	2.3	52.1
Paso Robles	1.6	2.0	3.2	4.3	5.5	6.3	7.3	6.7	5.1	3.7	2.1	1.4	49.0
San Luis Obispo	2.0	2.2	3.2	4.1	4.9	5.3	4.6	5.5	4.4	3.5	2.4	1.7	43.8
San Miguel	1.6	2.0	3.2	4.3	5.0	6.4	7.4	6.8	5.1	3.7	2.1	1.4	49.0
San Simeon	2.0	2.0	2.9	3.5	4.2	4.4	4.6	4.3	3.5	3.1	2.0	1.7	38.1
SAN MATEO													
Hal Moon Bay	1.5	1.7	2.4	3.0	3.9	4.3	4.3	4.2	3.5	2.8	1.3	1.0	33.7
Redwood City	1.5	1.8	2.9	3.8	5.2	5.3	6.2	5.6	4.8	3.1	1.7	1.0	42.8
Woodside	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
SANTA BARBARA													
Betteravia	2.1	2.6	4.0	5.2	6.0	5.9	5.8	5.4	4.1	3.3	2.7	2.1	49.1
Carpenteria	2.0	2.4	3.2	3.9	4.8	5.2	5.5	5.7	4.5	3.4	2.4	2.0	44.9
Cuyama	2.1	2.4	3.8	5.4	6.9	7.9	8.5	7.7	5.9	4.5	2.6	2.0	59.7
Goleta	2.1	2.5	3.9	5.1	5.7	5.7	5.4	5.4	4.2	3.2	2.8	2.2	48.1
Goleta Foothills	2.3	2.6	3.7	5.4	5.3	5.6	5.5	5.7	4.5	3.9	2.8	2.3	49.6
Guadalupe	2.0	2.2	3.2	3.7	4.9	4.6	4.5	4.6	4.1	3.3	2.4	1.7	41.1
Lompoc	2.0	2.2	3.2	3.7	4.8	4.6	4.9	4.8	3.9	3.2	2.4	1.7	41.1
Los Alamos	1.8	2.0	3.2	4.1	4.9	5.3	5.7	5.5	4.4	3.7	2.4	1.6	44.6
Santa Barbara	2.0	2.5	3.2	3.8	4.6	5.1	5.5	4.5	3.4	2.4	1.8	1.8	40.6
Santa Maria	1.8	2.3	3.7	5.1	5.7	5.8	5.6	5.3	4.2	3.5	2.4	1.9	47.4
Santa Ynez	1.7	2.2	3.5	5.0	5.8	6.2	6.4	6.0	4.5	3.6	2.2	1.7	48.7
Sisquoc	2.1	2.5	3.8	4.1	6.1	6.3	6.4	5.8	4.7	3.4	2.3	1.8	49.2
Solvang	2.0	2.0	3.3	4.3	5.0	5.6	6.1	5.6	4.4	3.7	2.2	1.6	45.6
SANTA CLARA													
Gilroy	1.3	1.8	3.1	4.1	5.3	5.6	6.1	5.5	4.7	3.4	1.7	1.1	43.6
Los Gatos	1.5	1.8	2.8	3.9	5.0	5.6	6.2	5.5	4.7	3.2	1.7	1.1	42.9
Morgan Hill	1.5	1.8	3.4	4.2	6.3	7.0	7.1	6.0	5.1	3.7	1.9	1.4	49.5
Palo Alto	1.5	1.8	2.8	3.8	5.2	5.3	6.2	5.6	5.0	3.2	1.7	1.0	43.0
San Jose	1.5	1.8	3.1	4.1	5.5	5.8	6.5	5.9	5.2	3.3	1.8	1.0	45.3
SANTA CRUZ													
De Laveaga	1.4	1.9	3.3	4.7	4.9	5.3	5.0	4.8	3.6	3.0	1.6	1.3	40.8
Green Valley Rd	1.2	1.8	3.2	4.5	4.6	5.4	5.2	5.0	3.7	3.1	1.6	1.3	40.6
Santa Cruz	1.5	1.8	2.6	3.5	4.3	4.4	4.8	4.4	3.8	2.8	1.7	1.2	36.6
Watsonville	1.5	1.8	2.7	3.7	4.6	4.5	4.9	4.2	4.0	2.9	1.8	1.2	37.7
Webb	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.2
SHASTA													
Burney	0.7	1.0	2.1	3.5	4.9	5.9	7.4	6.4	4.4	2.9	0.9	0.6	40.9
Fall River Mills	0.6	1.0	2.1	3.7	5.0	6.1	7.8	6.7	4.6	2.8	0.9	0.5	41.8
Glenburn	0.6	1.0	2.1	3.7	5.0	6.3	7.8	6.7	4.7	2.8	0.9	0.6	42.1
McArthur	0.7	1.4	2.9	4.2	5.6	6.9	8.2	7.2	5.0	3.0	1.1	0.6	46.8
Redding	1.2	1.4	2.6	4.1	5.6	7.1	8.5	7.3	5.3	3.2	1.4	0.9	48.8

Appendix A - Reference Evapotranspiration (ETo) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
SIERRA													
Downieville	0.7	1.0	2.3	3.5	5.0	6.0	7.4	6.2	4.7	2.8	0.9	0.6	41.3
Sierraville	0.7	1.1	2.2	3.2	4.5	5.9	7.3	6.4	4.3	2.6	0.9	0.5	39.6
SISKIYOU													
Happy Camp	0.5	0.9	2.0	3.0	4.3	5.2	6.1	5.3	4.1	2.4	0.9	0.5	35.1
MacDoel	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
Mt Shasta	0.5	0.9	2.0	3.0	4.5	5.3	6.7	5.7	4.0	2.2	0.7	0.5	36.0
Tule lake FS	0.7	1.3	2.7	4.0	5.4	6.3	7.1	6.4	4.7	2.8	1.0	0.6	42.9
Weed	0.5	0.9	2.0	2.5	4.5	5.3	6.7	5.5	3.7	2.0	0.9	0.5	34.9
Yreka	0.6	0.9	2.1	3.0	4.9	5.8	7.3	6.5	4.3	2.5	0.9	0.5	39.2
SOLANO													
Dixon	0.7	1.4	3.2	5.2	6.3	7.6	8.2	7.2	5.5	4.3	1.6	1.1	52.1
Fairfield	1.1	1.7	2.8	4.0	5.5	6.1	7.8	6.0	4.8	3.1	1.4	0.9	45.2
Hastings Tract	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Putah Creek	1.0	1.6	3.2	4.9	6.1	7.3	7.9	7.0	5.3	3.8	1.8	1.2	51.0
Rio Vista	0.9	1.7	2.8	4.4	5.9	6.7	7.9	6.5	5.1	3.2	1.3	0.7	47.0
Suisun Valley	0.6	1.3	3.0	4.7	5.8	7.0	7.7	6.8	5.3	3.8	1.4	0.9	48.3
Winters	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
SONOMA													
Bennett Valley	1.1	1.7	3.2	4.1	5.5	6.5	6.6	5.7	4.5	3.1	1.5	0.9	44.4
Cloverdale	1.1	1.4	2.6	3.4	5.0	5.9	6.2	5.6	4.5	2.8	1.4	0.7	40.7
Fort Ross	1.2	1.4	2.2	3.0	3.7	4.5	4.2	4.3	3.4	2.4	1.2	0.5	31.9
Healdsburg	1.2	1.5	2.4	3.5	5.0	5.9	6.1	5.6	4.5	2.8	1.4	0.7	40.8
Lincoln	1.2	1.7	2.8	4.7	6.1	7.4	8.4	7.3	5.4	3.7	1.9	1.2	51.9
Petaluma	1.2	1.5	2.8	3.7	4.6	5.6	4.6	5.7	4.5	2.9	1.4	0.9	39.6
Santa Rosa	1.2	1.7	2.8	3.7	5.0	6.0	6.1	5.9	4.5	2.9	1.5	0.7	42.0
Valley of the Moon	1.0	1.6	3.0	4.5	5.6	6.6	7.1	6.3	4.7	3.3	1.5	1.0	46.1
Windsor	0.9	1.6	3.0	4.5	5.5	6.5	6.5	5.9	4.4	3.2	1.4	1.0	44.2
STANISLAUS													
Denair	1.0	1.9	3.6	4.7	7.0	7.9	8.0	6.1	5.3	3.4	1.5	1.0	51.4
La Grange	1.2	1.5	3.1	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Modesto	0.9	1.4	3.2	4.7	6.4	7.7	8.1	6.8	5.0	3.4	1.4	0.7	49.7
Newman	1.0	1.5	3.2	4.6	6.2	7.4	8.1	6.7	5.0	3.4	1.4	0.7	49.3
Oakdale	1.2	1.5	3.2	4.7	6.2	7.7	8.1	7.1	5.1	3.4	1.4	0.7	50.3
Patterson	1.3	2.1	4.2	5.4	7.9	8.6	8.2	6.6	5.8	4.0	1.9	1.3	57.3
Turlock	0.9	1.5	3.2	4.7	6.5	7.7	8.2	7.0	5.1	3.4	1.4	0.7	50.2
SUTTER													
Nicolaus	0.9	1.6	3.2	4.9	6.3	7.5	8.0	6.9	5.2	3.4	1.5	0.9	50.2
Yuba City	1.3	2.1	2.8	4.4	5.7	7.2	7.1	6.1	4.7	3.2	1.2	0.9	46.7
TEHAMA													
Corning	1.2	1.8	2.9	4.5	6.1	7.3	8.1	7.2	5.3	3.7	1.7	1.1	50.7
Gerber	1.0	1.8	3.5	5.0	6.6	7.9	8.7	7.4	5.8	4.1	1.8	1.1	54.7
Gerber Dryland	0.9	1.6	3.2	4.7	6.7	8.4	9.0	7.9	6.0	4.2	2.0	1.0	55.5
Red Bluff	1.2	1.8	2.9	4.4	5.9	7.4	8.5	7.3	5.4	3.5	1.7	1.0	51.1
TRINITY													
Hay Fork	0.5	1.1	2.3	3.5	4.9	5.9	7.0	6.0	4.5	2.8	0.9	0.7	40.1
Weaverville	0.6	1.1	2.2	3.3	4.9	5.9	7.3	6.0	4.4	2.7	0.9	0.7	40.0
TULARE													
Alpaugh	0.9	1.7	3.4	4.8	6.6	7.7	8.2	7.3	5.4	3.4	1.4	0.7	51.6
Badger	1.0	1.3	2.7	4.1	6.0	7.3	7.7	7.0	4.8	3.3	1.4	0.7	47.3
Delano	1.1	1.9	4.0	4.9	7.2	7.9	8.1	7.3	5.4	3.2	1.5	1.2	53.6

Appendix A - Reference Evapotranspiration (ET_o) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET_o
TULARE													
Dinuba	1.1	1.5	3.2	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Lindcove	0.9	1.6	3.0	4.8	6.5	7.6	8.1	7.2	5.2	3.4	1.6	0.9	50.6
Porterville	1.2	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.3	3.4	1.4	0.7	52.1
Visalia	0.9	1.7	3.3	5.1	6.8	7.7	7.9	6.9	4.9	3.2	1.5	0.8	50.7
TUOLUMNE													
Groveland	1.1	1.5	2.8	4.1	5.7	7.2	7.9	6.6	5.1	3.3	1.4	0.7	47.5
Sonora	1.1	1.5	2.8	4.1	5.8	7.2	7.9	6.7	5.1	3.2	1.4	0.7	47.6
VENTURA													
Camarillo	2.2	2.5	3.7	4.3	5.0	5.2	5.9	5.4	4.2	3.0	2.5	2.1	46.1
Oxnard	2.2	2.5	3.2	3.7	4.4	4.6	5.4	4.8	4.0	3.3	2.4	2.0	42.3
Piru	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Port Hueneme	2.0	2.3	3.3	4.6	4.9	4.9	4.9	5.0	3.7	3.2	2.5	2.2	43.5
Thousand Oaks	2.2	2.6	3.4	4.5	5.4	5.9	6.7	6.4	5.4	3.9	2.6	2.0	51.0
Ventura	2.2	2.6	3.2	3.8	4.6	4.7	5.5	4.9	4.1	3.4	2.5	2.0	43.5
YOLO													
Bryte	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
Davis	1.0	1.9	3.3	5.0	6.4	7.6	8.2	7.1	5.4	4.0	1.8	1.0	52.5
Esparto	1.0	1.7	3.4	5.5	6.9	8.1	8.5	7.5	5.8	4.2	2.0	1.2	55.8
Winters	1.7	1.7	2.9	4.4	5.8	7.1	7.9	6.7	5.3	3.3	1.6	1.0	49.4
Woodland	1.0	1.8	3.2	4.7	6.1	7.7	8.2	7.2	5.4	3.7	1.7	1.0	51.6
Zamora	1.1	1.9	3.5	5.2	6.4	7.4	7.8	7.0	5.5	4.0	1.9	1.2	52.8
YUBA													
Browns Valley	1.0	1.7	3.1	4.7	6.1	7.5	8.5	7.6	5.7	4.1	2.0	1.1	52.9
Brownsville	1.1	1.4	2.6	4.0	5.7	6.8	7.9	6.8	5.3	3.4	1.5	0.9	47.4

* The values in this table were derived from:

- 1) California Irrigation Management Information System (CIMIS);
- 2) Reference EvapoTranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Dept of Water Resources 1999; and
- 3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922, 4) Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and Natural Resources (1987), Publication Leaflet 21426

Appendix B – Sample Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.
Please complete all sections (A and B) of the worksheet.

SECTION A. HYDROZONE INFORMATION TABLE

Please complete the hydrozone table(s) for each hydrozone. Use as many tables as necessary to provide the square footage of landscape area per hydrozone.

Hydrozone*	Zone or Valve	Irrigation Method**	Area (Sq. Ft.)	% of Landscape Area
Total				100%

*** Hydrozone**
HW = High Water Use Plants
MW = Moderate Water Use Plants
LW = Low Water Use Plants

****Irrigation Method**
MS = Micro-spray
S = Spray
R = Rotor
B= Bubbler
D= Drip
O = Other

SECTION B. WATER BUDGET CALCULATIONS

Section B1. Maximum Applied Water Allowance (MAWA)

The project's Maximum Applied Water Allowance shall be calculated using this equation:

$$\text{MAWA} = (\text{ET}_o) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

where:

- MAWA = Maximum Applied Water Allowance (gallons per year)
- ET_o = Reference Evapotranspiration from Appendix A (inches per year)
- 0.7 = ET Adjustment Factor (ETAF)
- LA = Landscaped Area includes Special Landscape Area (square feet)
- 0.62 = Conversion factor (to gallons per square foot)
- SLA = Portion of the landscape area identified as Special Landscape Area (square feet)
- 0.3 = the additional ET Adjustment Factor for Special Landscape Area (1.0 - 0.7 = 0.3)

Maximum Applied Water Allowance = _____ gallons per year

Show calculations.

Effective Precipitation (Eppt)

If considering Effective Precipitation, use 25% of annual precipitation. Use the following equation to calculate Maximum Applied Water Allowance:

$$\text{MAWA} = (\text{ET}_o - \text{Eppt}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

Maximum Applied Water Allowance = _____ gallons per year

Show calculations.

Section B2. Estimated Total Water Use (ETWU)

The project's Estimated Total Water Use is calculated using the following formula:

$$ETWU = (ETo)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$$

where:

- ETWU = Estimated total water use per year (gallons per year)
- ETo = Reference Evapotranspiration (inches per year)
- PF = Plant Factor from WUCOLS (see Definitions)
- HA = Hydrozone Area [high, medium, and low water use areas] (square feet)
- SLA = Special Landscape Area (square feet)
- 0.62 = Conversion Factor (to gallons per square foot)
- IE = Irrigation Efficiency (minimum 0.71)

Hydrozone Table for Calculating ETWU

Please complete the hydrozone table(s). Use as many tables as necessary.

Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)	Area (HA) (square feet)	PF x HA (square feet)
			Sum	
	SLA			

Estimated Total Water Use = _____ gallons

Show calculations.

Appendix C – Sample Certificate of Completion.

CERTIFICATE OF COMPLETION

This certificate is filled out by the project applicant upon completion of the landscape project.

PART 1. PROJECT INFORMATION SHEET

Date		
Project Name		
Name of Project Applicant	Telephone No.	
	Fax No.	
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Project Address and Location:

Street Address		Parcel, tract or lot number, if available.
City		Latitude/Longitude (optional)
State	Zip Code	

Property Owner or his/her designee:

Name	Telephone No.	
	Fax No.	
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Property Owner

“I/we certify that I/we have received copies of all the documents within the Landscape Documentation Package and the Certificate of Completion and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule.”

Property Owner Signature

Date

Please answer the questions below:

1. Date the Landscape Documentation Package was submitted to the local agency _____
2. Date the Landscape Documentation Package was approved by the local agency _____
3. Date that a copy of the Water Efficient Landscape Worksheet (including the Water Budget Calculation) was submitted to the local water purveyor _____

PART 2. CERTIFICATION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE

“I/we certify that based upon periodic site observations, the work has been substantially completed in accordance with the ordinance and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package.”

Signature*	Date	
Name (print)	Telephone No.	
	Fax No.	
Title	Email Address	
License No. or Certification No.		
Company	Street Address	
City	State	Zip Code

*Signer of the landscape design plan, signer of the irrigation plan, or a licensed landscape contractor.

PART 3. IRRIGATION SCHEDULING

Attach parameters for setting the irrigation schedule on controller per ordinance Section 492.10.

PART 4. SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE

Attach schedule of Landscape and Irrigation Maintenance per ordinance Section 492.11.

PART 5. LANDSCAPE IRRIGATION AUDIT REPORT

Attach Landscape Irrigation Audit Report per ordinance Section 492.12.

PART 6. SOIL MANAGEMENT REPORT

Attach soil analysis report, if not previously submitted with the Landscape Documentation Package per ordinance Section 492.5.

Attach documentation verifying implementation of recommendations from soil analysis report per ordinance Section 492.5.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: 12/21/09

Agenda Item Number (Assigned by City Clerk): 10a

Agenda Item Wording: Annual status report for the Visalia Public Finance Authority (VPFA)

Deadline for Action: n/a

Submitting Department: Administration / Finance

Contact Name and Phone Number:

Eric Frost 713-4474

Department Recommendation: Staff recommends Council appoint the following Directors and Officers to the Board of Directors of the Visalia Public Finance Authority (VPFA):

Bob Link, Director
Amy Shuklian, Director
Warren Gubler, Director
Mike Lane, Director
Steve Nelsen, Director

Steve Salomon, Manager
Leslie Caviglia, Secretary
Eric Frost, Fiscal Officer

Summary/background: The VPFA is a joint powers authority between the City and the Redevelopment Agency that was formed in February 1991 to assist the City's financing needs. Annually, the Visalia City Council members, who also preside as the Board of Directors for the VPFA, must receive and acknowledge a VPFA status report. This status report also fulfills the VPFA's requirement to hold an annual information meeting. Additionally, directors and officers must be officially appointed on an annual basis.

The VPFA was used as the financing arm for several City projects. Currently, only one VPFA bond debt issue remains outstanding. In 2005, the VPFA refinanced its outstanding debt on the Convention Center and paid down the debt's principal by \$5 million. This action reduced the average interest cost from 5.7 to 4.0 percent and reduced the remaining term of the debt by 6 years. This action will better prepare the City to pay for future improvements.

Past Debt Issues include:

-In 1993, the VPFA was utilized to complete the issuance of the Mooney / Central Redevelopment bonds. These bonds were refinanced at a lower rate with a private bank loan in November 2004 and are now an obligation of the City.

H:\(1) AGENDAS for Council - DO NOT REMOVE\2009\122109\Item 10 VPFA Annual status report.doc

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

-The VPFA was also used in 1996 to issue Golf Course Improvement bonds which were repaid by a General Fund loan to the Golf fund.
 The Mooney / Central loan and Golf Course loan are no longer debts of the VPFA but City Debts.

VPFA Debt Summary

Debt	Issue Date	Orig. Principal	Principal Balance 6/30/09	Maturity Date
2005 Refunding Certificates of Participation	May 2005	\$21,590,000	\$17,485,000	November 2020

Prior Council/Board Actions: The VPFA has been used to assist in several municipal financings, including the Mooney / Central Redevelopment, Golf Course improvements, and the Convention Center refinancing.

Committee/Commission Review and Actions:

Alternatives: No action required

Attachments:

Recommended Motion (and Alternative Motions if expected): Move to acknowledge the VPFA status report and approve the VPFA directors and officers

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*)

Annual appointment of the directors and officers.

Copies of this report have been provided to:

City of Visalia Agenda Item Transmittal

Meeting Date: December 21, 2009

Agenda Item Number (Assigned by City Clerk): 11

Agenda Item Wording: Consideration of a second amendment to the Measure R Sales Tax Expenditure Plan. Resolution 2009-62 required.

Deadline for Action: January 15, 2010

Submitting Department: Council

Contact Name and Phone Number: Mayor and Transportation Authority Representative Bob Link, 713-4313

Recommendation

It is recommended that the Visalia City Council approve the proposed second amendment to the Measure R Sales Tax Expenditure Plan Items 1-4 as presented and not approve Item 5.

Summary

The Tulare County Transportation Authority (Authority) has submitted a proposed second amendment to the Cities and County for the Measure R Expenditure Plan. It is recommended that the Visalia City Council approve the proposed second amendment to the Measure R Sales Tax Expenditure Plan Items 1-4 as presented and not approve Item 5:

1. A Visalia bike/pedestrian fund will be established for cost savings realized or projected to be realized from any of the nine projects.
2. Flexibility for bike and pedestrian funding in the City of Tulare
3. Flexibility for transit, bike and pedestrian funding in the City of Lindsay
4. Creation of Financial Emergency clause for Measure R that allows temporary suspension of Maintenance of Effort (MOE) requirements
5. Wording changes regarding potential expenditure of Rail funds for rail tracks and fixtures for preservation of rail corridor

It is recommended that City Council not support Item #5 because it does not appear to conform to the original written intent of Measure R as approved by voters of Tulare County. Measure R contains a funding category called Transit/Bikes/Environmental Mitigation Program (Multi-Modal Transportation Program), which will utilize 14% of Measure R revenues to expand and enhance public transit programs and correspondingly achieve environmental benefits as stated in the Measure R Expenditure Plan. Funding for Item 5 of the second amendment is proposed to be drawn from this category. Staff is concerned that this category, as presented to the voters, does not include language allowing expenditure of funds for preservation of rail equipment for freight rail as is now being proposed in Item 5.

For action by:

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

For placement on which agenda:

- Work Session
- Closed Session

Regular Session:

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 10

Review:

Dept. Head MO 12/16/09

Finance N/A

City Atty N/A

City Mgr SMS 12/14/09

Measure R stipulates that in order to pass the Expenditure Plan amendment, at least half of the cities in the County, representing half the population, must pass the amendment.

Background

The Authority consists of a council member from each City and the Board of Supervisors from the County and oversees Measure R, a 30 year ½ cent countywide sales tax passed by Tulare County voters in November 2006 for Transportation projects across the county. The Authority has asked all agencies (cities and the County) for consideration of a second amendment as proposed to the Measure R Expenditure Plan. On November 21, 2009, the Authority voted unanimously for items #1-4 to be forwarded together and item #5 to be forwarded separately for consideration by local agencies.

Measure R is split into three main segments, 50% for Regional Projects (for use only on Regional approved projects as listed in the Expenditure Plan), 35% for Local Projects (used at agency discretion for Transportation projects only), 14% Air Quality (Transit, Bike, Pedestrian and Rail projects as listed in the Expenditure Plan) and 1% for administration of the funding including annual audits. The first amendment to Measure R was unanimously approved by all agencies in Tulare County and the Authority in November 2008.

Recently, several cities, the City Managers/CAO Group and a Rail Negotiating Team commissioned by the Authority have submitted proposed changes for a second amendment to the Measure R Expenditure Plan in order to enable agencies to utilize Measure R funding in a way that enables them to fulfill the commitment made to voters with their approval of the sales tax. The City Manager/CAO Group and Measure R Citizens Oversight Committee have been given the opportunity to review the proposed changes and have given their support for the changes to be processed for consideration by the cities and County, however, there have been some reservations expressed concerning the rail amendment. The Measure R Policies and Procedures allow for changes to be made to the expenditure plan. As outlined on page 4 of those policies and procedures, amendments can occur as follows:

Changes in Project scope, Allocation and Schedule

Over the life of Measure R, there exists the potential for changes to projects identified in the Biannual Strategic Work Plan. Updates to the Work Plan will reflect changes in project scope, cost, and schedule. However, the following items will require an amendment to be approved by the Authority Board:

- Adding a new Measure R project
- Deleting a Measure R Project
- Segmenting a project (not identified as segmenting in the Expenditure Plan)
- Changing the basic scope of a project, as defined in the Expenditure plan or bi-annual work plan
- Changing the scheduled year of a project
- Changing the amount of Measure R funds that may be allocated to a project

In addition, the Measure R Policies and Procedures outline the manner in which new amendments should be added. The policies indicate:

Adding New Measure R Programs:

“There may be very limited circumstances in which to add a new project to the Measure R program. Adding a new Regional or Air Quality project will require an amendment to the Measure R Expenditure Plan. Amendment to Expenditure Plan may only be conducted once a

year. Prior to a recommendation to add a new project, revenue projections should clearly demonstrate all other Regional projects can be funded over the life of the Measure, or it must be demonstrated that adequate funding is available, either through cost savings, reduced project scale or project deletion, or significantly increased revenues, to fund the new project. In itself, a proposed project deletion does not necessarily create additional capacity. A review of revenue projections will still be required along with an Expenditure plan amendment.”

Proposed Amendments:

The proposed financial amendments to the plan are listed below. The agency in () is the requesting agency.

1. (City of Visalia) A Visalia bike/pedestrian fund will be established for cost savings realized or projected to be realized from any of the nine projects.

The Measure R Expenditure Plan on page 10 lists nine specific bike/pedestrian projects for the City of Visalia. A Visalia bike/pedestrian fund will be established for cost savings realized or projected to be realized from any of the nine projects. The City of Visalia may use the cost savings for the other approved City of Visalia bike/pedestrian projects. Additional projects may be added up to the amount of the fund once all of the nine projects have been completed or fully funded.

2. (City of Tulare) Flexibility for bike and pedestrian funding in the City of Tulare

<u>CURRENT</u>	<u>PROPOSED</u>
Santa Fe Bike – lights	Trail Lights
Santa Fe Bike – trail head	Santa Fe Trail Connections
Bike Arterial crossings	Bike/Ped Arterial Crossings

3. (City of Lindsay) Flexibility for transit, bike and pedestrian funding in the City of Lindsay

<u>CURRENT</u>	<u>PROPOSED</u>
CNG Buses (2) \$400,000	CNG Buses \$400,000
Ped Walkway/Bike \$3,900,000	Ped Walkway/Bike \$2,800,000
Phase 3 Downtown \$2,800,000	Phase 3 Downtown \$3,900,000

4. (Tulare County City Managers/CAO) Creation of Financial Emergency clause for Measure R that allows temporary suspension of Maintenance of Effort (MOE) requirements

In the event of an economic emergency, the Authority may waive the maintenance of effort requirements by a two thirds (66.67% of the Authority Board membership) vote. An economic emergency may only be declared for up to one year at a time, and must be reauthorized if the emergency continues for more than a year. A fiscal emergency declaration must involve the entire County and cannot be declared for only some or a portion of the jurisdictions.

5. (Rail TAC/Rail Negotiating Team) Wording changes regarding potential expenditure of Rail funds

For Rail expenditures from the “Transit/Bike/Environmental Projects Program” funding may be used for ROW acquisition and/or preservation of rail corridors. Preservation of rail corridors by purchase of existing fixtures includes but is not limited to railroad ties, ballast, tracks, and signals are permitted when anticipated commercial operation will result in preservation of ROW. The purpose of the requirement is to ensure that real-property interest (long term-lease/easement) is maintained for rail use. The expenditure of Measure R funds shall not result in a commitment of additional funds. Prior to an agency requesting rail funds from the “Transit/Bike/Environmental Projects Program,” a plan must be submitted that

demonstrates the economic viability of the corridor for which the funding is proposed.

Items 1-3 in the proposed second Measure R amendment are revenue neutral and will provide for flexibility for the requesting agencies while still delivering the voter approved project's that were originally approved. These proposed items will not increase the expenditure of Measure R funding beyond what was originally approved and are submitted with the Agency's desire to maximize the use of and/or speed up availability of project funding to fulfill the projects as listed in the Expenditure Plan.

The MOE Item (4) relates to the Measure R requirement, as approved by the voters, to require that local agencies continue spending at least as much on road and street maintenance as they did prior to Measure R because the sales tax override was meant to increase the amount of road maintenance, not replace it. Therefore, local agencies are required to maintain a minimum maintenance of effort. Item 4 allows for agencies, during a declared fiscal emergency, to reduce the maintenance of effort and still qualify for Measure R local funds. The City of Visalia has similar fiscal emergency wording established in the Measure T sales tax override for Public Safety.

Item #5 – Transit/Bike/Environmental Projects amendment for rail preservation

Regarding Item 5, during the past year, efforts to preserve a short line rail corridor in East Tulare County have focused on preserving the rail line in East Tulare County. Once a line is abandoned and the rail road is removed, the cost and time to put in a new line in the area would be extremely high. Negotiations for preservation of the East County Short Line Rail Corridor have led to the recommendation of Item 5 as an amendment to the Measure R Expenditure Plan. The Tulare County Rail Committee's team believes there is potential for acquisition of the existing rail equipment (rails, safety equipment, ballasts, etc.) along the corridor that will allow for preservation of the underlying right of way. The acquisition of the equipment, in the current economic environment, is believed to be considerably less costly than the full acquisition of the right of way along the corridor. Permanent acquisition of the right of way along the corridor would allow for multiple uses such as bike/pedestrian trails or passenger rail, but the primary focus of the East Side Rail effort at this time is to preserve the equipment for freight transportation.

The first amendment of Measure R, created a \$3 million item for preservation of this corridor, but did not identify purchase of rail equipment as an eligible expense. This money can currently be used for right of way preservation and enable the corridor to be preserved for future light rail or bike/pedestrian trail if the freight rail facilities are later removed or upgraded. The second amendment now being proposed would allow Measure R funds to be used specifically for purchase of existing rail equipment to serve freight movement, which does not appear to be consistent with long term transit objectives approved by the voters for Measure R.

Page 4 in the Measure R Expenditure Plan states under the Transit/Bikes/Environmental Program portion of Measure R (which receives 14% of Measure R funding), *"The goal of this program is to expand or enhance public transit programs that address the transit dependent population, improve mobility through the construction of bike lanes and have a demonstrated ability to get people out of their cars and improve air quality and environment."* While the effort to save the East Valley freight rail system is worthwhile, the purchase of rail equipment for movement of freight does not appear to be consistent with the language contained in the Measure R Expenditure Plan for this category of funds. This category is directed at transit

related projects that will improve mobility of County residents and also improve air quality. The rail preservation wording included in Item 5 of the second amendment does not appear to implement this objective. Therefore, staff is recommending that Item # 5 of the second amendment not be approved.

Prior Council/Board Actions:

August 17, 2009 – East Tulare County Short Line Rail Update – motion of support and re-affirm position as expressed in Resolution 2008-54
August 3, 2009 – East Tulare County Short Line Rail Update – discussion continued
October 20, 2008 – Resolution 2008-54 for approval of first amendment to Measure R

Committee/Commission Review and Actions:

N/A

Alternatives:

Approve all of the second amendment of Measure R Expenditure Plan as presented

Attachments:

Resolution 2009-62
Copy of memo from Ted Smalley, Authority Executive Director
Copy of the proposed Final 2006 ½ cent Transportation Sales Tax Measure Expenditure Plan (Amended)

Recommended Motion (and Alternative Motions if expected):

I move to adopt Resolution 2009-62 approving Items 1-4 and not approving Item 5 of the second amendment to the 2006 Measure R Expenditure Plan.

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*
Resolution 2009-___ to be forwarded to Tulare County Transportation Authority

RESOLUTION 2009-62

RESOLUTION APPROVING THE SECOND AMENDMENT ITEMS 1-4 AND NOT APPROVING ITEM 5 TO THE MEASURE R TRANSPORTATION SALES TAX EXPENDITURE PLAN

WHEREAS, the Tulare County Transportation Authority Board has proposed that that the following amendments be made to the Measure R Transportation Sales Tax Expenditure Plan:

1. (City of Visalia) A Visalia bike/pedestrian fund will be established for cost savings realized or projected to be realized from any of the nine projects.
The Measure R Expenditure Plan on page 10 lists nine specific bike/pedestrian projects for the City of Visalia. A Visalia bike/pedestrian fund will be established for cost savings realized or projected to be realized from any of the nine projects. The City of Visalia may use the cost savings for the other approved City of Visalia bike/pedestrian projects. Additional projects may be added up to the amount of the fund once all of the nine projects have been completed or fully funded.
2. (City of Tulare) Flexibility for bike and pedestrian funding in the City of Tulare

<u>CURRENT</u>	<u>PROPOSED</u>
Santa Fe Bike – lights	Trail Lights
Santa Fe Bike – trail head	Santa Fe Trail Connections
Bike Arterial crossings	Bike/Ped Arterial Crossings
3. (City of Lindsay) Flexibility for transit, bike and pedestrian funding in the City of Lindsay

<u>CURRENT</u>	<u>PROPOSED</u>
CNG Buses (2) \$400,000	CNG Buses \$400,000
Ped Walkway/Bike \$3,900,000	Ped Walkway/Bike \$2,800,000
Phase 3 Downtown \$2,800,000	Phase 3 Downtown \$3,900,000
4. (Tulare County City Managers/CAO) Creation of Financial Emergency clause for Measure R that allows temporary suspension of Maintenance of Effort (MOE) requirements
In the event of an economic emergency, the Authority may waive the maintenance of effort requirements by a two thirds (66.67% of the Authority Board membership) vote. An economic emergency may only be declared for up to one year at a time, and must be reauthorized if the emergency continues for more than a year. A fiscal emergency declaration must involve the entire County and cannot be declared for only some or a portion of the jurisdictions.
5. (Rail TAC/Rail Negotiating Team) Wording changes regarding potential expenditure of Rail funds
For Rail expenditures from the “Transit/Bike/Environmental Projects Program” funding may be used for ROW acquisition and/or preservation of rail corridors. Preservation of rail corridors by purchase of existing fixtures includes but is not limited to railroad ties, ballast, tracks, and signals are permitted when anticipated commercial operation will result in preservation of ROW. The purpose of the requirement is to ensure that real-property interest (long term-lease/easement) is maintained for rail use. The expenditure of Measure R funds shall not result in a commitment of additional funds. Prior to an agency requesting rail funds from the “Transit/Bike/Environmental Projects Program,” a plan must be submitted that

demonstrates the economic viability of the corridor for which the funding is proposed.

WHEREAS, the Council hereby finds that Item 5 as presented by the Authority does not conform to the objectives of the Transit/Bike/Environmental Projects Program contained in Measure R as approved by voters; and,

WHEREAS, the Authority has provided an analysis confirming that adequate funding is anticipated to fully fund and construct the projects approved by the voters including Items 1-4 of the second amendment; and,

WHEREAS, the Authority is processing the amendment in accordance with the approved Measure R policies and procedures, which specifies that an analysis must be conducted that concludes that adequate funding exists to fund all projects currently in the Expenditure Plan,

NOW THEREFORE BE IT RESOLVED that the Visalia City Council approves the second amendment to Measure R Sales Tax Expenditure Plan for Items 1-4 as proposed and does not approve Item 5.

November 23, 2009

To whom it may concern:

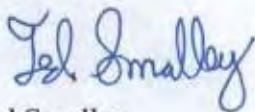
On November 23, 2009 action was taken by the Tulare County Transportation Authority to allow for the submittal of the second Measure R Expenditure Plan amendment to member agencies for their consideration and approval. All nine member agencies will need to present Amendment No. 2 to their respective councils and submit a copy of their resolution to the Authority by January 15, 2010. Approval by a majority of the cities with a majority of the population along with the approval of the Board of Supervisors is required for the approval of Amendment No. 2 to the Measure R Expenditure Plan.

For your convenience attached is a summary of the requests that compile the second Measure R Expenditure Plan amendment and a copy of the proposed Amended Measure R Expenditure Plan. Please call or email me if your agency desires to have an Amendment presentation at your next council or board meeting.

If you have any questions please contact Ramon Lara or myself me at: (559) 624-7269

Thank you for your cooperation in this matter.

Sincerely,



Ted Smalley
Executive Director, TCAG

***FINAL 2006 ½ CENT
TRANSPORTATION SALES TAX
MEASURE EXPENDITURE
PLAN (AMENDMENT NO. 2)***

DRAFT

PREPARED BY:

TULARE COUNTY ASSOCIATION OF GOVERNMENTS
5961 S. MOONEY BLVD.
VISALIA, CA 93277

ADOPTED BY:

TULARE COUNTY TRANSPORTATION AUTHORITY
JULY 24, 2006

AMENDED BY:

TULARE COUNTY TRANSPORTATION AUTHORITY
NOVEMBER 17, 2008 (AMENDMENT NO. 1)
DRAFT (AMENDMENT NO. 2)

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Introduction

A Tulare County 1/2 Cent Transportation Sales Tax Expenditure Plan was prepared to:

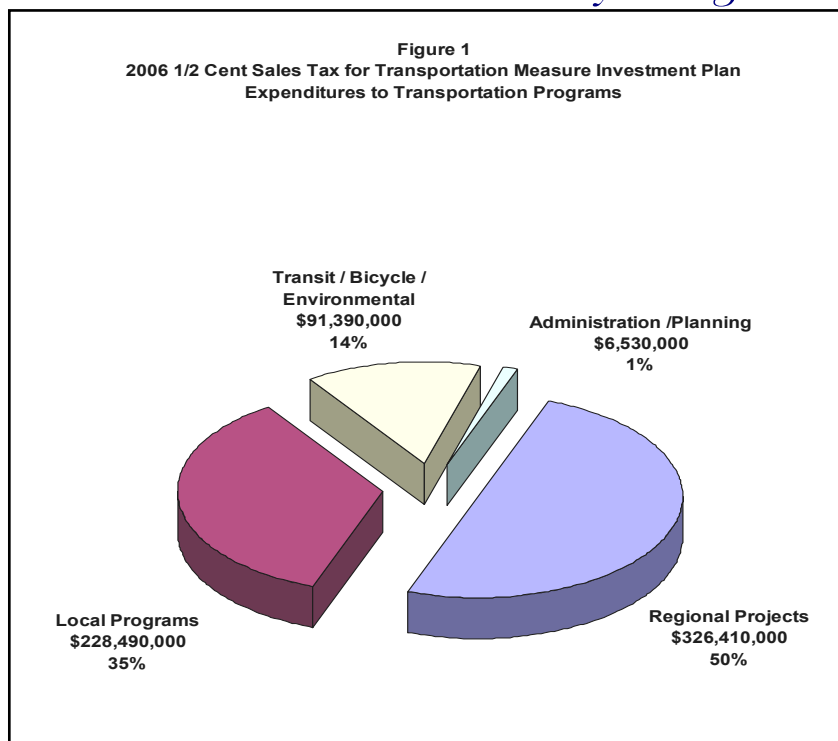
Guide more than \$652 million in transportation fund expenditures generated through the approval of a Tulare County’s half-cent transportation sales tax over the next 30 years, if approved by voters in the November 2006 election.

The Expenditure Plan, developed by the Tulare County Association of Governments (TCAG) and nine member agencies (Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake and the County of Tulare) representing diverse community interests, will address major regional transportation needs in Tulare County through the Year 2037 with the initiation of a ½ cent sales tax. TCAG considered established regional needs, projects identified by voters and input from all of the city/County member agencies. To ensure the Plan addressed transportation needs of all County residents, the Tulare County Association of Governments:

- Adhered to requirements contained in the Public Utilities Code 180000 et seq.;
- Reviewed other transportation sales tax measure programs recently passed in other counties (best practices review); and
- Reviewed established transportation needs in Tulare County.

Overview - Expenditure Plan: Where the money will go

Figure 1 provides an overview of the proposed Expenditure Plan that outlines where the funds will be spent and what categories of projects will be funded. The funding categories include Regional Projects, Local Projects, Transit/Bicycle/Environmental and Administration. The formulas and breakdown of the expenditures were approved by the Tulare County Association of Governments. The proposed 30-year Transportation Measure is expected to generate a total of \$652 million. Half of this amount is allocated for Regional Projects. The Regional projects are established from the adopted Regional Transportation Plan (RTP) approved by all member agencies in Tulare



County. The projects within the RTP were selected through a process that evaluated safety, performance measures and cost effectiveness. The Regional Transportation Plan is updated every two years with 25 years of transportation projects. Many of the projects provide benefits for multiple jurisdictions such as interchange improvements, regional widening projects and environmental mitigation measures.

Referencing Figure 1, the allocations consider the many diversified transportation needs of Tulare County and have the following components, as shown:

- 35% of the expected Transportation Measure funds are allocated to “Local Programs”. Due to the diverse needs of the cities and the County, the Local Programs category was created. The Local Programs category allows each of the member agencies to develop a priority list of projects based on community needs. This allows each jurisdiction, flexibility to determine local needs. This category will allow funding for projects ranging from “pot-hole repair”, road rehabilitation and freeway interchange improvements.
- 14% of the funds are directed to Transit, Bike/Pedestrian and Environmental projects. The program contains important projects to link the regional bike systems, provide increased transit service and an investment in environmental mitigation.
- The remaining 1% of the total expected Transportation Measure funding is directed to program implementation activities.

Details regarding the implementation of each of the programs are provided in Appendix A and B.

Responding to Public Needs

Two-thirds (67%) voter approval is necessary to pass the Transportation Measure in November 2006. In order to ensure that Tulare County Association of Governments is on target with this Expenditure Plan, voters and community residents were initially surveyed to determine support for a new Transportation Measure. The Voters of Tulare County responded with strong support to impose a sales tax which would lead to transportation improvements in Tulare County.

Meeting the needs of Tulare County residents requires leveraging State and Federal expenditures with local resources. Even with passage of the Measure there will not be enough funding available to address the more than \$1.5 billion in transportation needs. The Transportation Measure will generate slightly more than \$652 million over the next 30 years to address a portion of this need. Therefore leveraging additional federal and state dollars, beyond what the region expects, is critical. Most State and Federal grants require a match. Agencies that pass transportation sales tax measures are referred to as “Self-Help” and can generate the revenues for a match. Similar measures through out the Valley and California have been very successful in this regard. Such measures have been viewed as the most important transportation programs ever approved by voters in those counties. Tulare County needs to become a “Self-Help” County.

The cities, the County of Tulare, and TCAG worked together to develop the Expenditure plan categories of funding, the list of regional projects, list of transit/bike/environmental projects and other key components. Regional Projects were first based on the adopted Transportation Plan approved by all agencies. A list of other regional projects was prepared that could be funded if additional revenues were received. All of the Cities and County worked together to develop the Regional Program distribution. In response to the public survey the cities and the County developed a list of bike, transit, and environmental projects.

Annual Audit of Transportation Measure Programs

The Transportation Measure expenditures and accounts of the local agencies and the Authority will be audited on an annual basis by an independent audit firm retained by Tulare County Association of Governments. Appendix A provides additional detail regarding the Transportation Measure audit process.

Citizen Oversight

To inform the public and to ensure that the Transportation Measure revenues and expenditures are spent as promised to the public, a Citizens' Oversight Committee would be formed by TCAG as part of the new Transportation Measure. Details regarding the Committee are provided in Appendix C.

Anticipated Measure Revenues

If voters approve the Transportation Measure on November 7, 2006, they will allow TCAG to impose a ½ cent retail transaction and use tax for 30 years (between April 1, 2007 and March 31, 2037). The Transportation Measure Sales Tax will:

Provide \$652.8 million in new revenues for transportation improvements according to financial projections through the year 2037.

This estimate considers current sales tax receipts (with no growth rate in sales tax proceeds) through March 2037. Since the project funding is shown in current dollars, the projected revenues are shown in current dollars. The allocation of projected sales tax revenues to specific types of transportation funding programs and improvement projects is described in the following sections of this Expenditure Plan. A Strategic/Work Plan detailing current transportation projects will be updated every two (2) years to adjust the projection of sales tax receipts, ensuring that the projections are consistent with future expenditures and promises made in this initial Expenditure Plan. TCAG will have the option of issuing bonds to deliver Transportation Measure projects and programs contained in this Expenditure Plan to reduce project costs by delivering them earlier.

Road Map for the Work Plan: What We Will Do

Through many weeks of intense discussion and hard work, the following Transportation Measure funding program commitments were developed by the Tulare County Association of Governments and member agencies. TCAG realized that providing funds for all modes of transportation would meet the quality of life intent of the new Transportation Measure. This would in turn enable agencies within Tulare County to address the needs of residents, businesses, and major industries over the 30-year life of the Transportation Measure. The Expenditure Plan will:

Provide funds for regional road improvements, public transit, rehabilitate existing roads and other transportation programs that improve mobility and air quality within the County and each of the cities.

Expenditure Plan programs are detailed in Tables 1 through 4. Implementing Guidelines for each the four (4) Expenditure programs described on the next page are contained in Appendix B.

REGIONAL PROJECTS (Regional Transportation Program) - \$326.4 million or 50%.

Authorizes major new projects to:

- Improve freeway interchanges
- Add additional lanes
- Increase safety
- Improve and reconstruct major commute corridors

1 These projects provide for the movement of goods, services, and people through out Tulare County. Major highlights of this Program include the funding of Regional projects through out the County. There are two phases. Phase 1 contains projects planned to be funded in the first 15 years and phase 2 are projects expected to be funded in years 16 through 30. A map showing the regional Projects for Phase 1 may be found on Figure 2.

Funds can be used for all phases of project development and implementation. Projects in both Phase 1 and Phase 2 are expected to be completed within the life of the Transportation Measure. This funding program requires matching funds from the Sate Transportation Improvement Program (STIP) administered locally through TCAG. If funding is received beyond revenue projections in the first 15 years, projects from the Phase 2 list would be advanced.

LOCAL TRANSPORTATION PROGRAM - \$228.4 million or 35%.

The goal is to improve each individual city's and the County's local transportation systems.

\$35% or \$7.6 million a year has been guaranteed for local determined projects. Each City and the County will receive funding based on a formula using population, maintained miles, and vehicles miles traveled. The funding will help cities and the County to meet scheduled maintenance needs and to rehabilitate their aging transportation systems.

Potential uses include:

- Pothole repair
- Repave streets
- Bridge repair or replacement
- Traffic signals
- Add additional lanes to existing streets and roads
- Improve sidewalks
- Separate street traffic from rail traffic

2

The local agencies in Tulare County know what their needs are and how best to address those needs.

Funds can be used for all phases of project development and implementation. The County of Tulare would use the Local Transportation Program funds to create a "Farm to Market" program. Specific Local Transportation Program highlights and implementing guidelines are described in Appendix B.

TRANSIT/BIKES/ENVIRONMENTAL MITIGATION PROGRAM (Multi-Modal Transportation Program) - \$91.3 million or 14%.

3 The goal of this program is to expand or enhance public transit programs that address the transit dependent population, improve mobility through the construction of bike lanes and have a demonstrated ability to get people out of their cars and improve air quality and environment. This funding program requires matching funds from the Congestion Mitigation and Air Quality (CMAQ) and Transportation Enhancement (TE) Programs administered locally through TCAG. To accomplish this important goal:

Funding is provided to transit agencies within the County to expand transit services. Funding would be provided for regional bike routes through out the County. Other uses include:

New routes to enhance existing transit service
Low emission buses
Night and weekend service
Bus shelters and other capital improvements
Safer access to public transit services
Regional bike routes
Environmental Mitigation
Preliminary Light Rail investment

Specific Transit Enhancement Program highlights and implementing guidelines are also described in Appendix B.

ADMINISTRATION AND PLANNING PROGRAM - \$6.5 million or 1%.

Transportation Measure funding is provided to TCAG to:

- 4
- Prepare Strategic/Work Plan updates
 - Develop funding allocation requirements
 - Administer and conduct specified activities identified in the other three (3) programs described above
 - Prepare Annual Transportation Measure Report and contract for an independent audit

Expenditure Plan Projects

This section identifies priority regional street and highway improvement projects to be implemented over the life of the Measure or by the year 2037. The projects would be funded with Measure, State Transportation Improvement Program (STIP), and and/or other transportation funding.

Phase 1 capacity increasing street and road projects to be addressed in this Program are included in Table 1 and graphically displayed in Figure 2. Phase 2 projects are included in Table 2. Phase 1 projects are projected for funding for the first 15 years of the Measure and Phase 2 projects are projected to be funded in years 16 through 30. These projects will be funded using:

- Measure funding (approximately **\$324 million**).
- A portion of State Transportation Improvement Program (STIP) funding expected over the 30-year Measure or approximately **\$587 million**. (*conservatively estimated based on recent state funding history*)
- Other sources including local contributions totaling **\$2.9 million**

These funding sources together result in slightly more than **\$903 million** available for Phase 1 and Phase 2 Regional projects. Phase 2 projects are considered for advancement if additional funding is available and the projects are amended in to the current Regional Transportation Plan. During preparation of the biennial Strategic/Work Plan Updates, TCAG will develop a detailed improvement program that specifies the timing and delivery of projects or funding order considering project cost benefit, project readiness, and funding availability. A description of funding commitments and implementing guidelines for the Regional Program are provided in **Appendix B**.

Table 1
Summary of Regional Projects – Phase 1 (Years 1-15)

Project	Limits	Description	Total
SR-63	Packwood Creek to SR-198	Widen to 6 lanes	\$19,000,000
Road 80	Avenue 304 to Avenue 340	Widen to 4 lanes	\$16,000,000
	Avenue 340 to Avenue 380	Widen to 4 lanes	\$22,500,000
	Avenue 380 to Avenue 416	Widen to 4 lanes	\$21,600,000
Road 108	phase 1/Tulare limits	Widen to 4 lanes	\$4,000,000
	phase 2/Visalia limits	Widen to 4 lanes	\$4,000,000
	phase3/County limits	Widen to 4 lanes	\$14,000,000
Plaza Drive	SR-198 to Ave 304	Widen to 4/6 lanes	\$14,000,000
Avenue 416	Road 56 signal	Signal	\$1,300,000
	Euclid to Snyder	Widen to 4 lanes	\$9,000,000
	Road 64 to Road 72	Widen to 4 lanes	\$11,400,000
	Road 32 to Road 64	Widen to 4 lanes	\$30,000,000
	Kings River Bridge	Widen to 4 lanes	\$10,000,000
SR-65	Phase 1/Ave 96 to SR-190	Widen to 4 lanes	\$36,500,000
	Phase 2/Ave 56 to Ave 96	Widen to 4 lanes	\$20,000,000
	Phase 3/C. line to Ave 56	Widen to 4 lanes	\$36,000,000
SR-65 (Spruce)	SR-137 to SR-198	Widen to 4 lanes	\$100,000,000
Scranton/Indiana	Scranton/Indiana	Widen to 4 lanes	\$3,000,000
Caldwell Ave	SR-99 to Mooney Blvd.	Widen to 4 lanes	\$15,000,000
	Santa Fe to Orange Ave	Widen to 4 lanes	\$40,000,000
SR-216 (Houston)	Lovers Lane to Ave 152	Widen to 4 lanes	\$15,000,000
Betty Drive Widening	SR-99 to Road 80	Widen to 4 lanes	\$7,000,000
Betty Drive/SR-99	I/C improvements	Major I/C improvements	\$37,000,000
CaldwellAve/SR-99	I/C improvements	Major I/C improvements	\$25,000,000
Cartmill/SR-99	I/C improvements	Major I/C improvements	\$25,000,000
SR-190	SR-99 to SR-65	Operational improvements	\$10,000,000
Total Regional Projects			\$546,300,000

Notes:

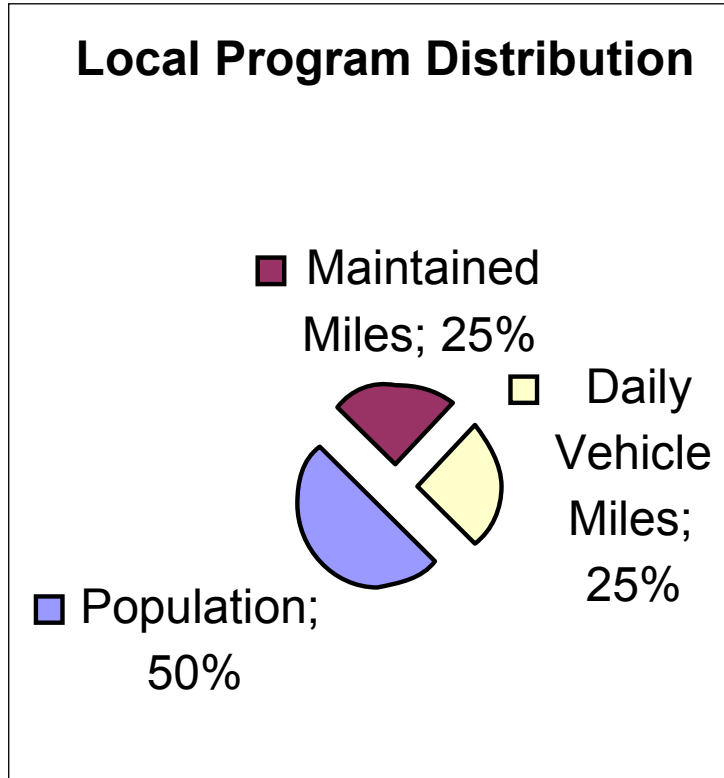
1. The projects are not listed by priority
2. The projects have been approved by TCAG (cities/County) in the adopted 2004 RTP
3. Projects shown are the adopted regional projects for 30 years

Table 2

Summary of Potential Regional Projects – Phase 2 (Years 15-30)			
Project	Limits	Description	Total
Additional Project Requests			
Riggin Ave.	Road 80 to SR-63	Widen to 4 lanes	\$14,000,000
Alta Avenue	Sequoia to Avenue 432	Widen to 4 lanes	\$6,000,000
SR-190	SR-99 to SR-65 (Various locations)	Widen to 4 lanes	\$60,000,000
Subtotal widening Requests			\$80,000,000
AgriCenter/SR-99	I/C improvements	New I/C	\$17,000,000
Paige/SR-99	I/C improvements	I/C improvements	\$25,000,000
SR-99 (south county)	various I/C improvements	I/C improvements	\$6,000,000
Shirk Street/SR-198	I/C improvements	I/C improvements	\$9,000,000
Akers Street/SR-198	I/C improvements	I/C improvements	\$1,500,000
Visalia 198 corridor	I/C improvements	I/C improvements	\$20,000,000
Lovers Lane/SR-198	I/C improvements	I/C improvements	\$18,500,000
Ave 148/SR-198	I/C improvements	New I/C	\$25,000,000
Farmersville Blvd/SR-198	I/C improvements	I/C improvements	\$30,000,000
Main Street/SR-190	I/C improvements	all phases	\$18,000,000
N. Grand./SR-65	I/C improvements	all phases	\$20,000,000
Subtotal Interchanges			\$190,000,000
Synchronization	various agencies & locations	PS&E,ROW,CON	\$5,000,000
Visalia Synchronization	various locations	PS&E,ROW,CON	\$9,600,000
Visalia Signals (7)	various locations	PS&E,ROW,CON	\$1,400,000
Rural Signals (8)	various locations	PS&E,ROW,CON	\$3,081,250
Subtotal signals/Synchronization Requests			\$19,081,250
Rural (County) Various	Bridge improvements (County)	all phases	\$17,000,000
McAuliff/SR-198	over crossing	all phases	\$14,000,000
Ben Maddox/SR-198	over crossing	all phases	\$2,800,000
Santa Fe/SR-198	over crossing	all phases	\$12,600,000
Betty Drive/RR	I/C improvements	all phases	\$15,000,000
Tulare UPRR Grade Separation Program	Grade Separations	all phases	\$16,000,000
Subtotal Overcrossings/Bridges			\$77,400,000
Subtotal Project Costs:			\$366,481,250

Notes:

1. The projects are not listed by priority
2. All Tier II projects listed above meet the 2004 Regional Transportation Plan (RTP) criteria for a Regional Project
3. Tier II projects may be funded if additional funding is available and the projects are amended in to the RTP



**Table 3
Tulare County Agency Demographics**

Agency	Population		Maintained Miles		Daily Vehicle Miles	
	1/1/2006	%		%	(1,000s)	%
Dinuba	19,578	4.65%	59.28	1.54%	126.99	2.69%
Exeter	10,634	2.53%	37.89	0.98%	55.49	1.18%
Farmersville	10,416	2.48%	26.18	0.68%	51.71	1.10%
Lindsay	11,185	2.66%	29.77	0.77%	59.68	1.26%
Porterville	45,220	10.75%	152.79	3.97%	374.06	7.92%
Tulare	51,477	12.24%	152.49	3.96%	374.51	7.93%
Visalia	111,168	26.43%	309.06	8.02%	1,187.00	25.14%
Woodlake	7,305	1.74%	19.79	0.51%	15.93	0.34%
Non-Incorp.	153,636	36.53%	3,064.85	79.56%	2,475.73	52.44%
TOTALS:	420,619	100.00%	3,852.10	100.00%	4,721.10	100.00%

1. Population is based on California Department of Finance Annual estimates
2. Maintained Miles are obtained from the most recent California Public Road Data book published by Caltrans
3. Daily Vehicle Miles of Travel (1,000) are obtained from the most recent California Public Road Data book published by Caltrans
4. All three formula components will be updated on an annual basis

Table 4
Summary of Local Program Distribution

	Total Annual	Total 10 years	Total 20 years	Total 30 years	% of Total
Dinuba	\$257,768	\$2,577,684	\$5,155,367	\$7,733,051	3.38%
Exeter	\$137,384	\$1,373,839	\$2,747,677	\$4,121,516	1.80%
Farmersville	\$128,098	\$1,280,976	\$2,561,951	\$3,842,927	1.68%
Lindsay	\$140,049	\$1,400,486	\$2,800,972	\$4,201,459	1.84%
Porterville	\$635,786	\$6,357,863	\$12,715,725	\$19,073,588	8.35%
Tulare	\$692,468	\$6,924,677	\$13,849,354	\$20,774,031	9.09%
Visalia	\$1,637,959	\$16,379,586	\$32,759,172	\$49,138,758	21.51%
Woodlake	\$82,343	\$823,430	\$1,646,861	\$2,470,291	1.08%
Non-Incorp.	\$3,904,358	\$39,043,582	\$78,087,164	\$117,130,746	51.26%
	\$7,616,212	\$76,162,122	\$152,324,245	\$228,486,367	100%

\$7,616,212

Notes:

1. Amounts shown are in current dollars

**Table 5
Summary of Transit/Bike/Environmental Projects**

Agency	Project	Total	Agency	Project	Total
Transit			Bike/Pedestrian Projects		
Porterville	CNG Buses (2) Route expansion (100k a year)	\$600,000 \$3,000,000	Lindsay -	Ped walkway/Bike Phase 3 Downtown	\$2,800,000 \$3,900,000
Dinuba	Route expansion (50k a year)	\$1,500,000	Tulare-	Trail Lights Santa Fe Trail Connections Bike/Ped Arterial Crossings	\$2,000,000 \$2,000,000 \$1,000,000
Visalia	Service expansion (684k a year) Transit Center expansion	\$20,520,000 \$1,000,000	Visalia	St John's River Path	\$2,000,000
County	Service expansion (500k a year) CNG Buses (4)	\$15,000,000 \$1,200,000		Cameron Creek path	\$4,500,000
Tulare	Minor Transit improvements operations (100k a year)	\$300,000 \$3,000,000		K Street Bike path	\$1,500,000
Farmersville	transit center (minor)	\$250,000		Packwood Creek	\$1,500,000
Lindsay	Route expansion (100k a year) transit center (minor) CNG Buses	\$3,000,000 \$250,000 \$400,000		Modoc Creek	\$1,500,000
Woodlake	Route expansion (50k a year)	\$1,500,000		Mill Creek	\$5,000,000
Exeter	(part of Visalia Urbanized Area)			Goshen Enhancement	\$3,000,000
Farmersville	(part of Visalia Urbanized Area)			K Road along SJ rail line	\$4,500,000
Regional Light Rail ROW preservation		\$10,000,000		SJ river to Ave 272	\$6,000,000
Rail Preservation Funds		\$ 3,000,000	County	Regional Bike Path or pedestrian improvements	\$5,000,000
Total		\$64,520,000	Exeter	Bike/ped improvements	\$1,000,000
			Porterville	Bike/ped improvements	\$2,000,000
			Tulare/Visalia	Santa Fe Gap Connection	\$3,000,000
			Regional	K Road to Exeter	\$16,000,000
			Member Agencies	Bike Fund Program Total	\$2,000,000 \$70,200,000
			Environmental Projects		
			Regional Mitigation Banking Program		\$2,000,000
			Woodlake Area Mitigation banking program (results in \$100,000 a year for environmental)		\$1,000,000
			Total		\$3,000,000
					\$137,720,000

Notes:

1. The projects are not listed by priority

2. There is not a Tier I/II for the Transit/Bike/Environmental category		
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Project Commitments – Other Programs

In addition to the Regional Program of projects, the Transportation Measure will provide additional funding for a wide range of projects determined based on agency need. **Table 3** shows the projected revenue distribution for the Local Programs. Each Agency will have different types of transportation projects. Examples of projects would include “pot-hole” repair, road rehabilitation, adding travel lanes, interchange improvements and other transportation related projects.

The County of Tulare will use the Local Program funding to create a “Farm to Market” program and for other road improvements to existing, community, local unincorporated roads. Figure 3 is a map showing potential or candidate projects for road rehabilitation. The projects are geographically distributed to all parts of the County. The map is shown for illustrative purposes. The County of Tulare will also create a “Local Community Road Improvement Program.” The Local Community Road Improvement Program would provide funding for transportation improvements in unincorporated communities. A partial list of the communities is shown below:

- Alpaugh
- Cutler-Orosi
- Ducor
- Earlimart
- East Orosi
- East Porterville
- Goshen
- Ivanhoe
- Lemon Cove
- London
- Pixley
- Poplar/Cotton Center
- Richgrove
- Other smaller communities such as Allensworth, Oak Ranch, and Waukena
- Springville
- Strathmore
- Terra Berra
- Tipton
- Traver
- Woodville

The other projects the County may potentially use the Local Program funding for include: “Pot-hole” repair, bridge repair, installation of traffic signals and transportation safety projects. The County will evaluate annually the Local Program funded projects and prioritize based on local needs.

The City of Visalia would use the Local Program funding provided through a transportation sales tax augmentation to implement the City’s circulation element, and, at Council discretion, may use some of the funds to conduct on-going street maintenance.

Exactly how the City would use the funds could depend on the implementation policies of the tax including but not limited to the amount and rate of project funds generated by the tax, the criteria and priorities used to select the Tier II projects to be funded by the project portion of the sales tax, the financing options allowable under the provisions of the sales tax program, the reimbursement policies of the sales tax program, the availability of grants, bond funds, matching funds, private sector participation, federal earmarks and other types of available funding, what the impact such new monies will have on project prioritization, how cost overruns and revenue shortfalls will be addressed, how projects that impact state highways and/or other jurisdictions will be addressed through the implementation plan, and other factors yet to be determined.

Visalia’s share of the Local Program funds could yield \$49.1 million in current dollars. The projects that would assist with the implementation of the City of Visalia’s circulation element and therefore could be funded by the Local Program portion of the tax could include, some, but not all of the following:

- *Signal Light Synchronization (\$9.6 million, est.)
- *Interchange improvements at Lovers Lane and State Highway 198 (\$18.5 million, est.)
- *Interchange improvements at Shirk and State Highway 198 (\$9 million, est.)
- *Interchange improvements at Akers and State Highway 198 (\$1.5 million, est.)
- *Interchange improvements at Downtown Visalia (State Highway 63) and State Highway 198 (\$20 million, est.)
- *Street maintenance (Est. \$500,000/annually over 30 years or \$15 million)

Should additional monies become available, or if funding for the above projects comes from another source, some of the following elements of the City of Visalia's transportation system could be funded; however, there is not expected to be enough money from the sales tax augmentation Local Program funds to pay for these critical needs:

- *New interchange at Road 148 and State Highway 198 (\$25 million, est.)
- * Santa Fe Street from Caldwell Avenue to Riggins Avenue, including overcrossing (\$12.6 million)
- *Overcrossing improvements at Ben Maddox and State Highway 198 (\$2.8 million, est.)
- *Overcrossing improvements at McAuliff and State Highway 198 (\$14 million est.)
- *Shirk Street improvements & widening from Highway 198 to Riggins (\$9 million)
- * Caldwell widening from State Route 99 to Mooney Blvd and Santa Fe Street to Road 156 (\$12.6 million)
- * Goshen Avenue realignment to intersect at Lovers Lane and Mill Creek Parkway (\$4 million)

(All estimates are in current dollars; estimated figures noted are the unfunded portions of the projects after the 2007/08 fiscal year.)

The City of Farmersville candidate projects include: traffic signal and intersection improvements to the intersections of Walnut & Freedom Drive and Farmersville & Noble Drive. Other potential uses for Local Program funding in Farmersville include street reconstruction and overlay projects. The City will evaluate annually the Local Program funded projects and prioritize based on local needs.

The City of Exeter candidate projects include: road widening with curb and gutter to Filbert Street, Glaze Street, and 3rd Street. The City will evaluate annually the Local Program funded projects and prioritize based on local needs.

Other Tulare County cities would have candidate projects that could include "pot-hole" repair, road rehabilitation, adding travel lanes, interchange improvements and other transportation related projects. The cities will evaluate annually the Local Program funded projects and prioritize based on local needs.

Table 4 provides a list of multi-modal transportation projects. Many of these projects will be identified and implemented by the local agencies to address specific needs or will be developed in accordance with implementing guidelines included in **Appendix B**. Examples include: Mass Transit Improvements, regional Bike trails, and contributions to environmental banking.

For Further Information:

Contact the Tulare County Association of Governments to inquire about the Measure process, discuss the candidate projects and programs contained in this Plan, or to inquire about the next steps in the Measure process.

Tulare County Association of Governments

5961 S. Mooney Blvd
Visalia, CA 93277

Ph: (559) 733-6291 Fax: (559) 733-6720

Visit the TCAG website at <http://www.tularecog.org/> for more information, to sign up for our email list, and to receive updates on Measure planning activities.

Figure 2 – Phase 1 Regional Projects

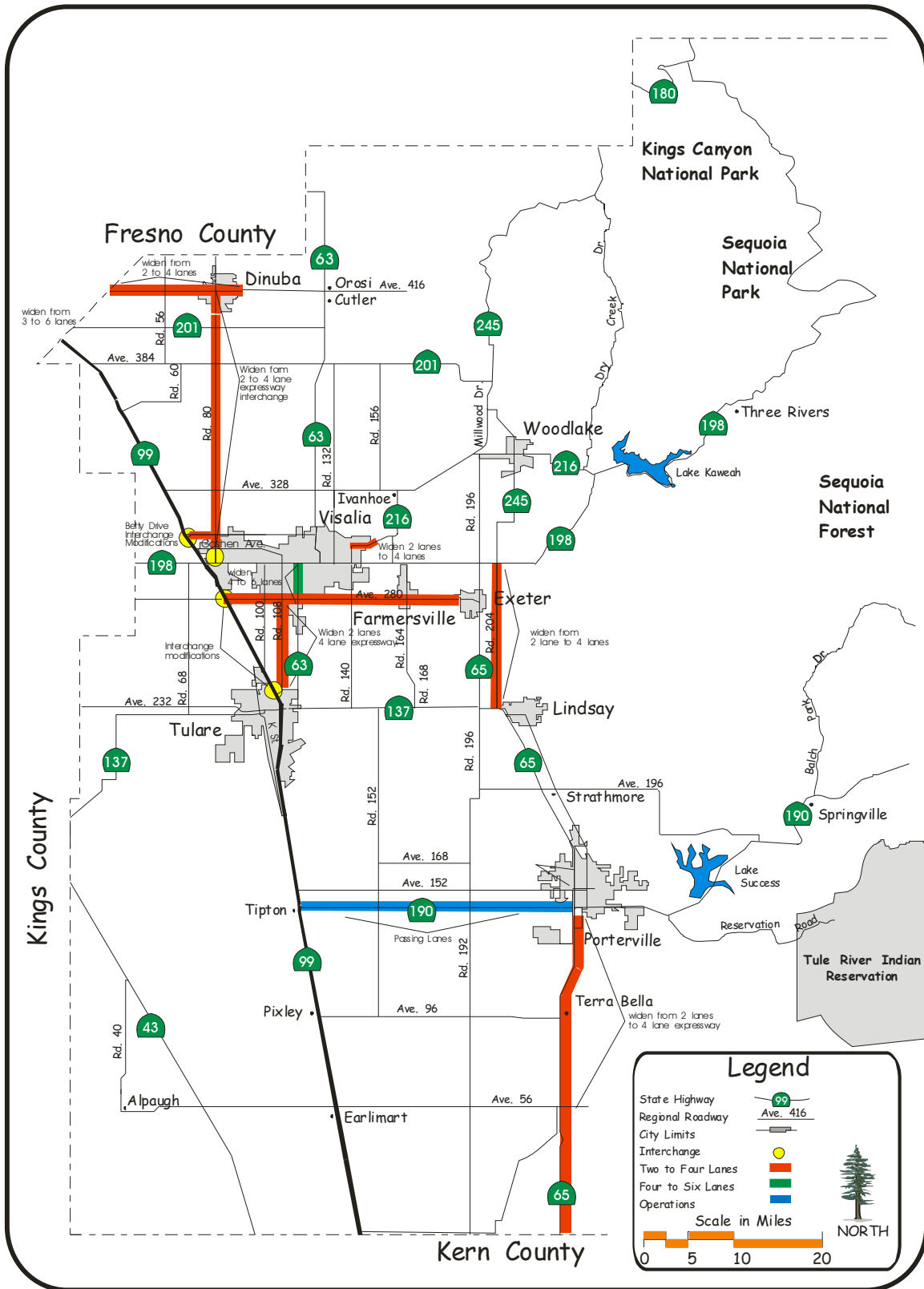
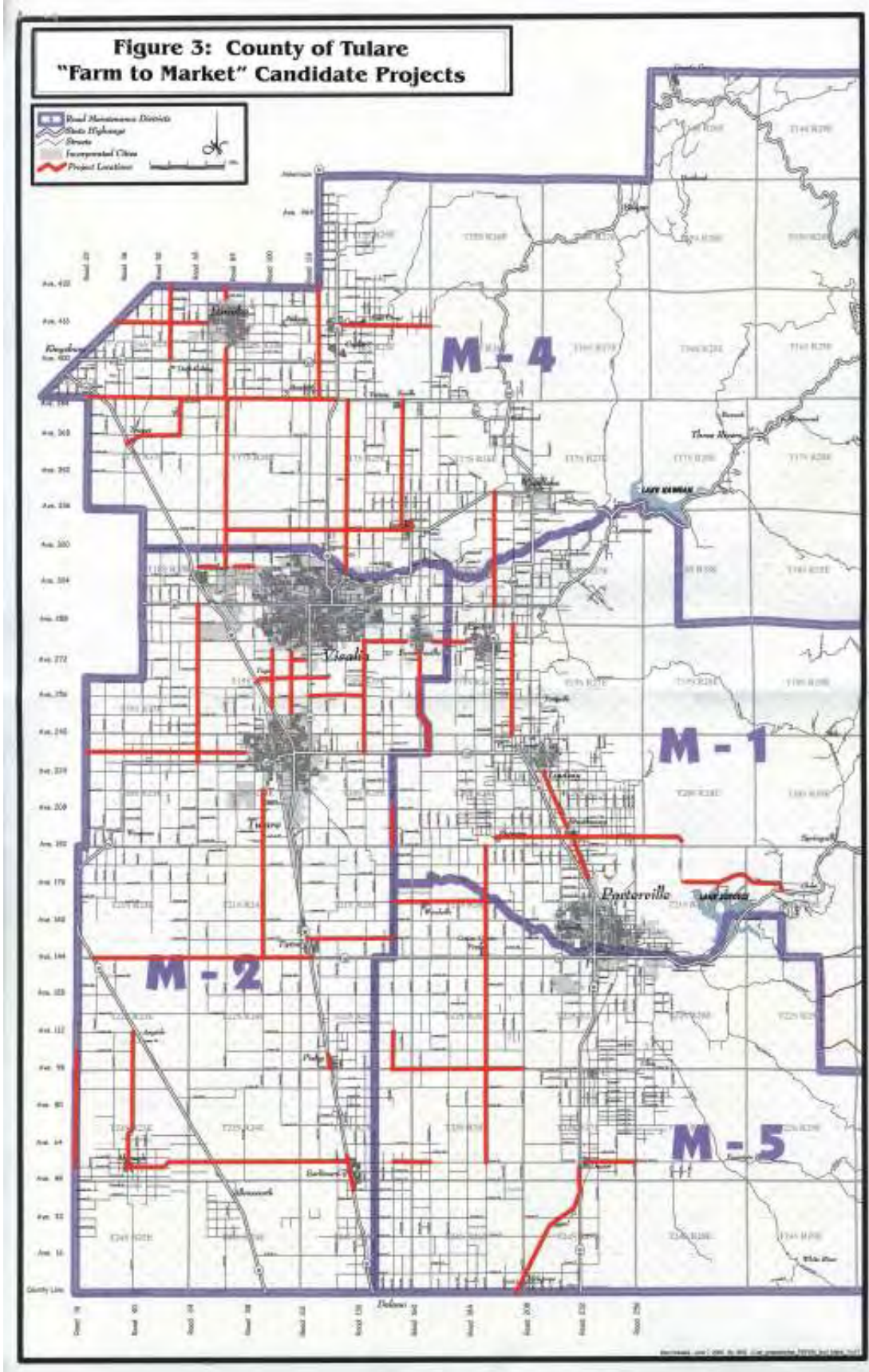


Figure 3 – County of Tulare candidate “Farm to Market” projects



APPENDICES

Appendix A - Plan Administration

Governing Board and Organizational Structure

A description of the Tulare County Association of Governments and its organizational structure related to the sales tax follows. The structure is consistent with the enabling legislation.

Tulare County Transportation Authority Structure under the Measure Program

The Tulare County Association of Governments (TCAG) will be the Tulare County Transportation Authority and administer the Measure Program in compliance with Public Utilities Code PUC 180000 et seq. If the Measure is approved by Tulare County voters in November 2006, the Authority will be responsible for administering the Measure Programs in accordance with plans and programs outlined in this and subsequent updates of this Plan. In addition, this Plan includes provision for a Citizens' Oversight Committee. Details regarding the Committee are contained in Appendix C. The Strategic/Work Plan will continue to be prepared by TCAG and approved by its Policy Board and by the Authority.

PUC 180000 includes provisions regarding the number of members on the Authority Board. Specifically, the Authority will be represented by thirteen (13) members including:

- Five (5) members of the Board of Supervisors
- One (1) member representing each of the eight cities in Tulare County: Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia and Woodlake consisting of members of the city council appointed by the city council

The three (3) at-large members of TCAG will not participate as members of the Authority in accordance with the intent of PUC 180051. Alternates to the regular members of the authority may participate in accordance with the TCAG By-Laws.

Plan Update, Approval Process, and Expenditure Plan Amendments

Plan Review and approval process

There are three primary reports/plans that are referenced as follows:

1. The Expenditure Plan – The Expenditure Plan is approved by the voters and may be amended once a year as outlined below.
2. The Annual report – The Annual report is prepared each year by the Citizen's Oversight Committee to provide review how sales tax receipts are being spent and publicize the results
3. Bi-Annual Strategic/Work Plan – Prepared every two years to outline project expenditures. The Strategic Plan will be timed to coincide with the development of the Bi-annual State Transportation Improvement Program development.

In compliance with schedules mandated in federal and state law, TCAG regularly prepares a new long-range transportation plan (RTP) that updates and renews a list of candidate projects for all transportation modes (streets, highways, public transportation, bikeways, aviation, etc.). If funds are available for any projects beyond those now listed Table 1 in this Expenditure Plan, they will be drawn from that list. TCAG will have the option of issuing bonds to deliver Measure projects and programs contained in this Expenditure Plan to reduce project costs by delivering them earlier.

All updates of the Expenditure Plan will be subject to public review and public hearings. While these candidate projects may change and priorities for funding may occur, there are more than enough project needs within the County to be addressed using all types of funding, including Measure funds. It will be vital during development of each Expenditure Plan Update to consider financing all transportation modes in order to insure a balanced and efficient transportation system. All of the projects and programs included in this Expenditure Plan are considered essential to meet the transportation needs of Tulare County.

Amendments to the Expenditure Plan

The TCAG Board may annually review and propose amendments to the Expenditure Plan to provide for the use of additional Federal, State and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances. In order to react to changes in funding and/or priorities, an amendment to the plan can be proposed. Amendments will require the same voting requirements that TCAG used to adopt the original Expenditure Plan.

Bi-Annual Strategic/Work Plan

The following steps will be taken by TCAG to prepare and adopt this and future Strategic Plan/biennial updates of the Transportation Measure Strategic/Work Plan. This will include a financial plan that coincides with the development of the State Transportation Improvement Program (STIP).

- TCAG staff working with member agencies and affected stakeholders will develop the Draft Strategic/Work Plan, and will update it every two years
- The TCAG Policy Board receives the Draft Strategic/Work Plan and its updates and schedules public hearings to review the Plan
- The TCAG Policy Board adopts the Strategic/Work Plan

Independent Financial Audits

If the Measure is approved by the voters, TCAG would conduct independent financial audits consistent with PUC 180000 et seq.

Implementing Guidelines

Administration Program: - 1% of the Measure

There are a number of processes that TCAG must also perform to support the Measure Program including maintenance of the Expenditure Plan and development of requirements associated with:

- Each of the proposed allocation programs
- The identification and prioritization of projects

It is recommended that TCAG be allocated 1% of sales tax revenue to address important activities. Activities of TCAG are described below:

- Prepare Annual Work Program and Budget
- Develop the Allocation Program requirements including focused studies needed to implement Measure programs
- Prepare the Strategic/Work Plan every two years
- Develop the priority list of regional capacity increasing and rehabilitation projects
- Conduct an independent audit of Measure programs and funds on an annual basis
- Conduct on on-going public outreach program
- Issue bonds to deliver Measure projects and programs contained in this Strategic/Work Plan to save project costs by delivering them earlier
- Allocate Measure proceeds to the local jurisdictions consistent with the Program requirements

Bonding and Financing

TCAG will have the authority to bond and use other financing mechanisms, including, when more advantageous economically, loans from banks and other financial lending institutions, for the purposes of expediting the delivery of transportation projects and programs and to provide economies of scale. Bonds or loans, if issued, will be paid with the proceeds of the transportation sales tax. The costs and risks associated with the bonding and loans will be presented in Strategic/Work Plan, and will be subject to public comment before any bond sale or loan application is approved.

TCAG will also be able to use other means to accelerate the delivery of projects and programs, including partnering with other COGS, the State of California, the Federal Government, and other government agencies, federal authorization funds, federal earmarks, partnering with private entities, seeking outside grants and matching or leveraging tax receipts to the maximum extent possible.

Local agencies may choose to advance funds for a project, either a project specified in the plan, or a project for which they plan to use their local agency Local Program funds, and to receive reimbursement for that advancement in accordance with the plan. The fund advancement and reimbursement projections must be approved by TCAG in accordance with the voting requirements, prior to proceeding with the project.

Contingency Fund

TCAG will also have the ability to set aside a contingency fund of up to 5% of the annual receipts from the tax.

Revenues to fund the contingency may be accumulated through the following: revenues exceed projections or a project's cost is lower than anticipated resulting in excess funds.

In the event that actual revenues in any given year are less than the budgeted revenues, the TCAG Board may use the contingency fund to make up the difference between the budgeted revenues and the actual revenues. The contingency fund may also be used to fund projects where the actual cost exceeds projections.

Accountability

All business of TCAG will be conducted in an open and public meeting process in accordance with the California Brown Act. TCAG will approve all spending plans described in this document and will ensure that adequate public involvement has been included in the preparation of all spending plans. TCAG will be required to hire an independent auditor who will annually audit all sales tax expenditures, ensuring that expenditures are made in accordance with the plan, and with prudent, established accounting regulations and practices.

Other Guidelines

This plan is guided by principles that ensure that the revenue generated by the transportation sales tax is spent in the most efficient and effective manner possible, consistent with the desires of the voters of Tulare County. The principles outlines in this section provide flexibility needed to address issues that may arise during the life of the plan.

1. TCAG will fund both regional and local projects, and will also provide funds to local agencies to address special and localized needs.
2. TCAG is charged with a fiduciary duty in administering the transportation sales tax proceeds in accordance with the applicable laws and this Expenditure Plan. Receipt of these tax proceeds may be subject to appropriate terms and conditions as determined by TCAG in its reasonable discretion, including, but not limited to, the right to require recipients to execute funding agreements and the right to audit recipients' use of the tax proceeds.
3. The monies collected through TCAG shall be accounted for and invested separately, unless and until the funds are turned over to a local agency in accordance with the plan. At such time, the local agency shall keep a separate accounting of the monies and any and all expenditures to ensure that the monies are spent in accordance with the approved expenditure plan.

4. All meetings of TCAG will be conducted in public accordance to state law, through publicly noticed meetings. The annual budget of TCAG, annual work plan, biennial Strategic/Work Plan, and annual report will all be prepared for public scrutiny. The interests of the public will further be protected by the Citizens' Oversight Committee described in this Plan.
5. Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements benefiting Tulare County and its member agencies. The funds may not be used for any transportation projects or programs other than those specified in this Plan without an amendment of the Expenditure Plan.
6. Actual revenues may be higher or lower than expected in this Plan, due to changes in receipts and/or matching or leveraging capability. Estimates of actual revenue will be programmed annually by the TCAG during its annual budget process.
7. The actual requirements for funds in a specific program could be higher or lower than expected due to changes in funding outside of this transportation sales tax, or due to changes in project costs or feasibility. Should the need for funds for any program/project be less than the amount to be allocated by the sales tax, or should any project become infeasible for any reason, funds will first be considered for reprogramming to other programs or projects in the same urban area in accordance with voting described above at a noticed public hearing. Should the need for funds in the entire area be less than the amount to be allocated by the transportation sales tax, the TCAG Board may amend the Expenditure Plan to reallocate funds to the other projects following its procedures for a plan amendment.
8. All projects funded with these transportation sales tax funds will be required to complete appropriate California Environmental Quality Act (CEQA) and other environmental review as required.
9. Funds may be accumulated by TCAG or by recipient agencies over a period of time to pay for larger and long-term projects. All interest income generated by these proceeds will accrue to the specific fund/project intended. If accumulated for a general purpose, the proceeds will be used for the transportation purposes described in the Expenditure Plan.
10. TCAG will have the capability of loaning transportation sales tax receipts at prevailing interest rates to other member agencies for the implementation of needed transportation projects, provided that a guaranteed revenue stream is devoted to repay such a loan over a maximum amount of time, and provided that the loan will not interfere with the implementation of programs or projects defined in the Expenditure Plan. Loaning of funds requires TCAG Board approval.
11. Matching or leveraging of outside funding sources is strongly encouraged. Any additional transportation sales tax revenues made available through their replacement by matching funds will be spent based on the principles outlined previously in these guidelines. A member agency may elect to advance Tier I Regional Project using local funds. The agency would be eligible for repayment for the amount advanced (with no interest) subject to TCAG approval of the advancement and the year of reimbursement.
12. For Transit/Bike/Pedestrian projects shown on Table 5, obtaining outside funding or grants is encouraged. For every dollar of sales tax funding saved by an agency through obtaining outside grants, 50% will be provided to that agency's Local Program fund. (Excludes: CMAQ, TEA, FTA 5307, and FTA 5311 or other state/federal grant administered through TCAG). The other 50% would be placed in the Local Program fund to be distributed among all agencies. Examples of eligible grants include but are not limited to: State of California Bike Lane Account funding, Federal Recreation trials Program, and Federal Transit Administration new starts program.

13. For 'Regional Projects' shown on Tables 1 and 2, obtaining third party grants by member agencies is encouraged so as to leverage sales tax revenue and expedite completion of projects. All funds generated by such third party grants solicited for specific regional projects shall be applied solely to those projects. TCAG will give preference to use the savings resulting from said grants toward other regional projects which primarily benefit the member agency responsible for obtaining said grants. Grants, as applied to the foregoing, do not include STIP funds.
14. New incorporated cities or new transit agencies or services that come into existence in Tulare County during the life of the Expenditure Plan could be considered as eligible recipients of funds through a Plan Amendment, and an additional position created on the governing board.
15. **For Rail expenditures from the “Transit/Bike/Environmental Projects Program” funding may only be used for ROW acquisition and/or preservation of rail corridors. Preservation of rail corridors by purchase of existing fixtures includes but is not limited to railroad ties, ballast, tracks, and signals are permitted when anticipated commercial operation will result in preservation of the ROW. The purpose of the requirement is to ensure that real-property interest (long term-lease/easement) is maintained for rail use. The expenditure of Measure R funds shall not result in a commitment of additional funds. Prior to agency requesting rail funds from the “Transit/Bike/Environmental Projects Program,” a plan must be submitted that demonstrates the economic viability of the rail corridor for which the funding is proposed.**
16. **“The Measure R Expenditure Plan on page 10 lists nine specific bike/pedestrian projects for the City of Visalia. A Visalia bike/pedestrian fund will be established for cost savings realized or projected to be realized from any of the nine projects. The City of Visalia may use the cost savings for the other approved City of Visalia bike/pedestrian projects. Additional projects may be added up to the amount of the fund once all of the nine projects have been completed or fully funded.”**
17. **“In the event of an economic emergency, the Authority may waive the maintenance of effort requirements by a two thirds (66.67% of the Authority Board membership) vote. An economic emergency may only be declared for up to one year at a time, and must be reauthorized if the emergency continues for more than a year. A fiscal emergency declaration must involve the entire County and cannot be declared for only some or a portion of the jurisdictions.”**

Appendix B – Implementing Guidelines

The following Implementing Guidelines are intended to “guide” development and implementation of the measure program for Tulare County. Each of the three (3) transportation funding programs is described below. Implementing Guidelines for the fourth program (Administration/Planning Program) are described in Appendix A.

1. Regional Project Program (Regional Transportation Program)- 50% of the Measure

The Expenditure objectives are to:

- Provide additional funds to make up anticipated shortfalls to meet regional street and highway improvement needs
- Leverage Local Program state and federal funding from the California Transportation Commission (CTC)
- Accelerate delivery of street and highway projects that may otherwise be delayed because of other funding shortages

The program would provide funds for:

- Additional lane capacity on existing regional streets and highways
- Major Interchange improvements
- Other improvements which improve mobility performance on the regional system

Eligible expenditures for Phase 1 and Phase 2 projects would include all recognized project phases including:

- Planning and environmental analysis
- Preliminary engineering
- Design
- Right-of-way acquisition and relocation
- Utilities relocation
- Construction & Construction Engineering

In addition to Transportation Measure funds, the Regional Projects Program would require the partial allocation of State Transportation Improvement Program funds available to Tulare County to regional capacity increasing projects. These funding sources together result in slightly more than **\$903 million** available for Phase 1 and Phase 2. Phase 2 projects are considered for advancement if additional funding is available and the projects are amended in to the current Regional Transportation Plan. During preparation of the biennial Strategic/Work Plan Updates, TCAG will develop a detailed improvement program that specifies the timing and delivery of projects or funding order considering project cost benefit, project readiness, and funding availability.

2. Local Transportation Program - 35% of the Measure

This program would augment:

- Existing local, state, and federal funds for local streets and roads
- Any other form of transportation that provides funding for transportation projects of significance to local agencies
- Local Transportation Impact Fees

The improvements in this category are not limited to just the concept of rehabilitation. The funding is available to all jurisdictions to address their respective needs. This program will provide "flexible funding" for:

- Meeting scheduled maintenance needs
- Rehabilitating the aging local system
- Pot hole repair
- Signals
- Safety Improvements
- Bridge replacement
- New local road capacity
- Maintenance and rehabilitation projects
- Separate street traffic from increasing rail traffic (railroad grade separations)
- Signal Synchronization
- Other improvements directly or indirectly related to transportation

As with the Regional Projects Program, funds could be used for all needed phases of project development and implementation.

3. Transit/Bikes/Environmental Mitigation Program (Public Transportation Program) – 14% of Measure

The program would include funding augmentation to existing transit operators to maintain basic transit services to meet the needs of:

- Public transit
- Those who are unable to drive
- Those who choose an alternative to the use of private automobiles for work and shopping trips

The program includes funding for:

- Bicycle projects
- Pedestrian improvements
- Environmental Mitigation
- Light Rail

The Environmental Mitigation funds would be applied to an environmental mitigation bank that would encompass the projects and programs that may be funded with Measure assistance. This program would also reduce the time and significant delays associated with the current process of securing approval of affected resource agencies.

As with the Regional Projects Program, funds could be used for all needed phases of project development and implementation. In addition to Measure funds, the Regional Projects Program would require the partial allocation of Regional CMAQ/TE funding administered through TCAG. These funding sources together result in slightly more than **\$132 million** available for Transit/Bikes/Environmental projects.

Appendix C – Citizens’ Oversight Committee

Committee Purpose

To provide input on implementation of the plan, and to advise the TCAG Board if and when the plan needs to be augmented and to ensure that the funds are being spent in accordance with the plan.

To inform the public and to ensure that the Transportation Measure (Measure) funding program revenues and expenditures are spent as promised to the public.

Administrative Issues

Committee Formation

- The Committee will be formed within six (6) months upon approval of the Measure by the voters of Tulare County in November 2006
- The Citizens’ Oversight Committee (Committee) shall not be amended out of the Expenditure Plan
- Meetings will commence when Measure revenues are recommended for expenditure; including Strategic/Work Plan updates

Selection and Duties of Committee Chair and Vice Chair

- The Committee shall select a Chair and Vice Chair from the members, each of whom shall serve a one (1) year term
- The duties of the Chair will be to call meetings, set agendas, and preside over meetings
- The duties of the Vice Chair will be to perform the same duties described above in the absence of the Chair

Committee Meetings

- The Committee will hold one formal meeting annually, with additional meetings scheduled as needed by the Committee.
- All Committee meetings must be held in compliance with the Brown Act
- All meetings will be conducted per “Robert’s Rules of Order”

Subcommittee Requirements

- Subcommittees: the Committee may elect to form subcommittees to perform specific parts of its purpose.
- All subcommittees shall have an odd number of members

Committee Membership, Selection, and Quorum

Membership & Selection

The Committee will be designed to reflect the diversity of the County. The Committee will consist of 16 members. Each organization represented on the Citizens’ Oversight Committee will nominate its representative; with final appointments approved by the governing board of the TCAG. The membership shall be as follows:

*One member will be appointed by each City and the County. (Total of 9)

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

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

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

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

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

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

*One representative from an environmental advocacy group

- In the case of the final three representatives, applications from citizens from Tulare County who are over the age of 18 will be solicited and accepted and the representatives will be selected by the other 13 seated Board members, subject to final approval by TCAG.

Quorum

- A Quorum will be no less than nine (9) members of the Committee
- An action item of the Committee may be approved by a simple majority of those present, as long as the quorum requirement is met.

Term of Membership

- Terms of membership will be for two (2) years. No member may serve more than 8 years
- Members may be reimbursed for authorized expenses, but not be compensated for their service on the Committee
- In an effort to maintain Committee member consistency, during the first two (2) years of the Committee, terms will be staggered with 8 of the members to serve a one-year term, 8 of the members to serve a two-year term. The length of the first terms will be determined via random selection.
- Proxy voting will not be permitted

Eligibility

- U.S. citizen 18 years of age or older who resides in Tulare County
- Not an elected official at any level of government
- Not a public employee at any State, County or local city agencies
- Must submit an annual statement of financial disclosure consistent with Fair Political Practices Commission (FPPC) rules and regulations and filed with the Authority

Staffing

- TCAG will staff the Committee and provide technical and administrative assistance to support and publicize the Committee's activities.
- TCAG services and any necessary outside services will be paid using the TCAG's Measure Administration Program revenues
- Expert staff will be requested to provide information and make presentations to the Committee, as needed

Responsibilities

The Committee may receive, review and recommend any action or revision to plans, programs, audits or projects that is within the scope of its purpose stated above. Specific responsibilities include:

- Receive, review, inspect, and recommend action on independent financial and performance audits related to the Measure

- Receive, review, and recommend action on other periodic reports, studies and plans from responsible agencies. Such reports, studies and plans must be directly related to Measure programs, revenues, or expenditures
- Review and comment upon Measure expenditures to ensure that they are consistent with the Expenditure Plan
- Annually review how sales tax receipts are being spent and publicize the results
- Present Committee recommendations, findings, and requests to the public and TCAG in a formal annual report to inform Tulare County residents how funds are being spent.
- The Committee will have full access to the TCAG independent auditor and will have the authority to request and review specific information, with the understanding that the Committee will rely upon data, processes and studies available from TCAG, and other relevant data generated by reputable sources. It is understood; that TCAG will be continuously striving to improve the reliability of data and to update analytical and modeling processes and that the Committee will be kept abreast of any such efforts, and is invited to participate in development of such updates in a review capacity.

The Committee will assist TCAG in taking advantage of changing situations with technical and transportation developments in the future. Therefore, the provisions regarding the Committee make up, processes and protocols are viewed through 2037 based upon a 2007 perspective, and are not meant to be unduly restrictive on the TCAG and the Committee's roles and responsibilities.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: December 21, 2009

Agenda Item Number (Assigned by City Clerk): 12

Agenda Item Wording:

Review and approval of Visalia Water Management Committee, 2010 Annual Plan.

Deadline for Action: None

Submitting Department: Public Works and Natural Resource Conservation

Contact Name and Phone Number:

Andrew Benelli, Public Works Director, 713-4340
Kim Loeb, Natural Resource Conservation Manager, 713-4530

Summary:

The City of Visalia and the Kaweah Delta Water Conservation District (KDWCD) have an agreement to improve groundwater recharge in the Visalia area. The agreement was created in 2001 as part of negotiations with the Tulare Irrigation District (TID) for an alternative to a canal-lining project they proposed. Pursuant to the agreement, the City makes deposits to a groundwater recharge fund. A two-member Visalia Water Management Committee consisting of a City Council Member and a KDWCD Board member manage these funds. Staff recommends that the City Council approve the Visalia Water Management Committee's 2010 Annual Plan.

Background:

In December, 2001 the City of Visalia entered into an agreement with Kaweah Delta Water Conservation District (KDWCD) that formed a partnership to improve groundwater recharge in the Kaweah Basin. Prior to this Agreement, Tulare Irrigation District (TID) had been considering lining their Main Intake Canal with concrete to prevent seepage losses. The City opposed the canal lining because it would have reduced groundwater recharge and increased the overdraft in the region. TID ultimately agreed not to line their canal provided the City participate in a program to recharge groundwater. TID is not a party to this Agreement. However, they have a companion agreement with KDWCD where they agree not to line their canal and commit to a partnership with KDWCD to recharge groundwater in the region.

The Agreement requires that the City makes payments to KDWCD for a groundwater recharge fund. The amount was initially \$100,000 per year but the rate has been adjusted by the

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 5

Review:

Dept. Head _____
Date _____

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.

Consumers Price Index to about \$120,000 per year. The Agreement stipulates that a Management Committee be formed to plan and approve “acquisition and delivery of water for the primary benefit of the residents of the City.” The Management Committee is comprised of one member from each of the governing boards and other staff and technical representatives of the City and the District. Former Councilmember Greg Collins has represented the City for the last two years. The only money that has been allocated from this fund was \$61,679 spent in 2005 to purchase recharge water from the Central Valley Project. The City has made several recent purchases of recharge water, but not from this fund. There is approximately \$880,000 in the fund. Management Committee funds can be used to purchase recharge water, purchase, construct or improve recharge facilities, or purchase surface water rights.

The Agreement requires that an Annual Plan be prepared and approved by both KDWCD and the City. A copy of the proposed 2010 Annual Plan is attached. The most significant Action Item in the 2010 Plan is the approval for KDWCD staff to spend up to \$100,000 to purchase recharge water without convening a special meeting of the Management Committee. KDWCD staff must get approval from City staff and the water has to cost less than \$35 per acre-foot. This will allow KDWCD to act quickly when recharge water is available.

Some of the 2010 Action Items in the Plan were started in 2009. The 2010 Plan states that work on these projects will continue. The Management Committee approved spending \$27,500 to survey and map both Packwood Creek and Cameron Creek within the City limits. A hydraulic study will be prepared to determine where check structures can be built to store water in the channels for recharge. The Committee also approved spending \$50,000 to install a pipeline from Packwood Creek to the large basin on the southeast corner of Cameron and Woodland (behind Target). This will allow the basin to be filled with recharge water.

The KDWCD Board of Directors approved the draft plan during their regular meeting of December 1, 2009.

Prior Council/Board Actions:

Committee/Commission Review and Actions: None

Alternatives: The Council could recommend changes to the Annual Plan. Major changes would have to be approved by the KDWCD Board.

Attachments: Visalia Water Management Committee, 2010 Annual Plan

Recommended Motion (and Alternative Motions if expected):
Move to approve the Visalia Water Management Committee, 2010 Annual Plan without changes.

Environmental Assessment Status

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

None.

City of Visalia Agenda Item Transmittal

Meeting Date: December 21, 2009

Agenda Item Number (Assigned by City Clerk): 13

Agenda Item Wording: Approval of recommendations from the Mayor to improve citizen involvement in the local government process by generally moving the City Council meetings to the Convention Center beginning in January, 2010, and increasing the time limit for public comment to a maximum of five minutes.

Deadline for Action: N/A

Submitting Department:

Contact Name and Phone Number: Mayor Bob Link, 713-4512

Department Recommendation

It is recommended that the City Council meetings generally be held at the Convention Center, and that the Council increase the time limit for public comment to a maximum of five minutes.

Department Discussion

The Visalia City Council Chambers was originally completed in 1956 to serve a community of about 15,000. Since that time, the City has grown and technology has changed significantly. The Chambers is no longer adequate for many of the City Council meetings. Too often, citizens must sit outside and observe the meetings remotely which does not encourage people to participate in their local government. In addition, the sound system is antiquated, and the other multi-media technology is also dated. While technological advances could be installed in the current Council Chambers, it would be costly, and it is too cost prohibitive and impractical to enlarge the Chambers to meet today's population.

Many of the Council Members have indicated that they want to make our local government more accessible to our citizens. Given the size of the crowds that have been present at recent meetings, it is estimated that in order to accommodate all who wish to listen and participate in the process, as many of half the Council meetings would need to be held in a larger facility, such as the Convention Center. For consistency sake, it would seem reasonable that the Council meeting generally be held in a single, central location that could accommodate everyone.

The Convention Center is readily identifiable by a majority of community members, it is centrally located, there is adequate parking, it is accessible by public transit, the technology is available, it is already staffed on Monday nights, and the size of the room can be adapted for the available crowd. While on paper there may seemingly be an increased cost for using the Convention

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 121609

Finance

City Atty

City Mgr

Center, given that the Center is already subsidized by the general fund, much of the cost of the meeting will simply be a paper shift from a subsidy to a meeting cost. In actual dollars, there would only be a minimal cost difference. If approved, Administration staff would work with the Convention Center staff to determine how any discretionary costs can be minimized.

While it is proposed that generally the meetings be held at the Convention Center, it would also be understood that large Conventions, other conflicts, or other factors may result in staff recommending that a meeting be held at the Council Chambers or another suitable location.

In addition, there have been several requests over the years for the time limit for public comment to be increased, and in several instances, citizens have been frustrated by the current limit of three minutes. I am recommending that the limit be increased to a maximum of five minutes to ensure that the City Council can better understand the interests of the citizens.

While the time limit would be increased to a maximum of five minutes, it would be with the understanding that the City Council may choose at a particular meeting or on a particular subject to lessen or increase time limit, providing that everyone is given the same consideration.

Recommended Motion (and Alternative Motions if expected):

I move to approve moving the City Council meetings to the Convention Center, and to increasing the time limit for public input to 5 minutes.