

Regular Meeting Agenda

Visalia City Council



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

Monday, June 7, 2010

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

Work Session 4:00 p.m.; Closed Session 6:00 p.m. (or immediately following Work Session)

Regular Session 7:00 p.m.

4:00 p.m. RECOGNITION OF BUSINESS TAX VOLUNTEERS - Helen Headrick, Vonnie Thew, Margaret Thew

WORK SESSION AND ACTION ITEMS (as described)

- 4:05 p.m. 1. Presentation regarding Rail Preservation in Tulare County by Tom Sparks of the Tulare County Association of Governments – Rail Advisory Committee. **Receive public comment.**
- 4:20 p.m. 2. Presentation regarding Tulare County General Plan Update and Draft Environmental Impact Report. **Receive public comment.**
- 5:05 p.m. 3. Review of FY 2010-11 and 2011-12 Fleet and Vehicle Replacement Funds Capital Improvement Program budgets and future CIP requests. **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

6:00 p.m. CLOSED SESSION (immediately following Work Session)

4. Conference with Legal Counsel – Anticipated Litigation - Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 2 potential cases
5. Conference with Labor Negotiators (G.C. §54957.6)
Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis, Shelline Bennett
Employee Organization: All employee groups
- 5a. Public Employee Performance Evaluation
Title: City Manager

7:00 p.m. CALL TO ORDER REGULAR SESSION

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Chad Stuart, Visalia Seventh Day Adventist Church

SPECIAL PRESENTATIONS/RECOGNITION

- Recognition of the Visalia Police Department K9 Unit – Chief Mestas

PUBLIC COMMENTS - *This is the time for citizens to comment on subject matters that are not on the agenda that are within the jurisdiction of the Visalia City Council.*

This is also the time for citizens to comment on items listed on the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to Regular or Public Hearing Items that are listed on this agenda will be heard at the time that item is discussed or at the time the Public Hearing is opened for comment.

In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (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.

PUBLIC HEARINGS – Landscape and Lighting Districts

6. **PUBLIC HEARING** – Proposed funding changes, amendment, and assessment increases of balloted Landscape and Lighting Maintenance Assessment Districts (Westgate Estates 92-04, Rivers Edge 91-02, Spanish Oaks 89-07, Island Oaks 88-08).
7. **PUBLIC HEARING** – proposed annexation of Cameron Creek Ranch Unit No. 4 and 5 into Landscape & Lighting District No. 02-02 “Cameron Creek Ranch #1 and 2; if passed, authorize the annexation of Cameron Creek Ranch Unit No. 4 and 5 into Landscape and Lighting District No. 02-02, “Cameron Creek Ranch #1 & 2” and authorize the renaming of the District to “Cameron Creek Ranch”. **Resolutions 2010-20 and 2010-21 required.**
8. **PUBLIC HEARING** – proposed Landscape & Lighting District for the Vineyard subdivision, located at Modoc, Wren and Akers streets; if passed, authorize the formation of Landscape and Lighting District No. 2010-01, The Vineyard. **Resolutions 2010-22 and 2010-23 required.**

(Upon completion of these public hearings, staff will open and tabulate the ballots. The results will be reported at the end of the meeting).

9. **CONSENT CALENDAR** - *Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.*
 - a) Authorization to read ordinances by title only.
 - b) First reading of Ordinance requiring property owners to remove graffiti within three (3) business days when the City personally serves notice or provides notice by telephone and written notice instead of the current 15 days that is allowed per Visalia Municipal Code 9.16.070(C) and adding language to allow unpaid costs of abatement to be placed as a lien on the property. **Ordinance 2010-02 required.**

- c) Authorize City Manager to enter into 3-year non-financial agreement with the Franchise Tax Board for the reciprocal exchange tax data specific to city business tax information.
- d) Authorization to award RFP No. 09-10-25, Annual Contract to Provide Instrumentation and Electrical Services for Wastewater Treatment Systems, to Telstar, Inc. of Concord, CA.
- e) Authorization to purchase a John Deere 7630 tractor from Lawrence Tractor Co., Inc. of Visalia, CA at the contract price of \$128,743.46.
- f) Award Landscape Maintenance Contracts Option #1, Santa Fe Trail, Houston Ave. Maintenance Districts, & Goshen Bikepath to Paul Cardoza, Perfect Care Landscape. Option #2, Various Street Medians and Roadsides to Steve Manuele, Primow Landscape per specifications of RFB 09-10-39.
- g) Request authorization to file a Notice of Completion for Country Club Plaza, Conditional Use Permit 2007-10, Encroachment Permit E080348 & E080440, located at the southeast corner of Houston Avenue and Demaree Street.
- h) Reappoint Karen Cooper to the Measure R Citizens' Oversight Committee for a second two year term July 1, 2010 to June 30, 2012.
- i) Appoint Michael Kreps, a representative of the Downtown Visalians, to the General Plan Update Review Committee.
- j) Establish the boundaries for the Targeted Employment Area for the Enterprise Zone.
Resolution 2010--24 required.
- k) Award a contract for the 2010 Major Street Overlays to Glen Wells Construction Company, Inc., in the amount of \$534,940.45 (Project No. 1111-00000-0-720000-0-9225) and authorize the transfer of AARA funds totaling \$250,000 from the Mayor Street Overlay project to the Mooney/Walnut Avenue widening project (Project No. 1241-00000-720000-0-9270).
- l) Authorize the City Manager to enter into an agreement with Royal Dining Catering to provide food services for the Visalia Senior Center lunch program.
- m) Authorization to apply for Safe Routes to School Program grant.
- n) Authorization to file a Notice of Completion for the Traffic Signal Modification Projects at Demaree Street at Whitendale Ave. and Linwood Street at Walnut Ave, Project Nos. 1111-00000-720000-0-9717 and 1611-00000-720000-0-9757.
- o) Authorization to apply jointly with the County of Tulare for Federal funding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program through the Bureau of Justice Assistance (BJA) and execution of a Memorandum of Understanding (MOU) regarding the grant.
- p) Authorization to extend the payment length on the Chamber of Commerce Parking In-lieu and Land Purchase notes by 5 years for property located at 415 E. Oak Ave.

- q) Approval of a revised Letter of Intent to lease property between the City of Visalia and Imagine U Children's Museum.
- r) Authorization to prepare an RFP for Energy Efficiency Performance Contracting Services.
- s) Receive update on the CaliforniaFIRST AB 811 Property Assessed Clean Energy financing program for energy efficiency and solar energy.

REGULAR ITEMS AND PUBLIC HEARINGS - *Comments related to Regular Items and Public Hearing Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Mayor.*

- 10. **PUBLIC HEARING-** To place Miscellaneous Special Assessments on the Tulare County secured property tax roll for Sewer Connection, Business Incentive Zone, Curb and Gutter, Landscape and Lighting, Northeast Improvement District, Sewer, Weed & Lot Clearing, Code Enforcement, and Los Rios/Casa Blanca. **Resolution 2010-25 required.**
- 11. **PUBLIC HEARING -** Zoning Text Amendment No. 2010-05: Amending portions of Title 16 and 17 of the Visalia Municipal Code pertaining to the review of Planning Commission decisions by the City Council. **Introduction of Ordinance No. 2010-03.**
- 12. **PUBLIC HEARING:** property located at the northwest corner of Plaza Drive and Riggin Avenue, adjacent to the City of Visalia, and inside the County of Tulare. (APN: 077-120-012, 015)
 - a) Certification of Negative Declaration No. 2010-22. **Resolution 2010-26 required.**
 - b) Initiation of Proceedings for Annexation No. 2009-01 (Doe): a request by Russell Doe, applicant (Michael Porte, agent) to annex two parcels totaling approximately 156 acres into the City limits of Visalia for the purpose of facilitating future heavy industrial development on the property. **Resolutions 2010-27 and 2010-28 required.**
 - c) Authorization for City Manager to sign and enter into a Pre-Annexation Agreement.
 - d) Detachment of property from County Service Area No. 1.
- 13. As a continuation of the City's efforts to provide economic stimulus, receive presentation of impact fee analysis and recommendations to reduce Transportation Impact Fees, reduce Park Acquisition Impact Fees, Reduce Waterways Acquisition Fees, establish a Special Downtown TIF Credit Zone, increase Infill Credit, amend Gas Station TIF fees, waive the 2009 ENRCCI increase for Fiscal Year 2010/11, and affirm other Impact Fees to remain at current levels.
- 14. Report results of balloted Landscape and Lighting Maintenance Assessment Districts and takes action on Items #6, #7, #8

CLOSED SESSION REPORT

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
California Water Service Co.	City of Visalia	APN 103-320-011	NE corner of McAuliff St. and future alignment of Race St.	Water System Facilities	5/21/10	Chris Tavaréz

Upcoming Council Meetings

- Monday, June 14, 2010, 5:00 p.m. Work Session/Special Meeting; Convention Center, 303 E. Acequia.
- Monday, June 21, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; City Hall Council Chambers 707 W. Acequia.
- Monday, July 12, 2010, 4:00 p.m. Work Session, 7:00 p.m. Special Session; City Hall Council Chambers 707 W. Acequia.

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.

The City's newsletter, Inside City Hall, is published after all regular City Council meetings. To self-subscribe, go to http://www.ci.visalia.ca.us/about/inside_city_hall_newsletter.asp. For more information, contact Community Relations Manager Nancy Loliva at nloliva@ci.visalia.ca.us.

City of Visalia Agenda Item Transmittal

Meeting Date: June 7, 2010

Agenda Item Number (Assigned by City Clerk): 1

Agenda Item Wording: Presentation regarding Rail Preservation in Tulare County by Tom Sparks of the Tulare County Association of Governments – Rail Advisory Committee

Deadline for Action: N/A

Submitting Department: Administration

Contact Name and Phone Number: Mike Olmos 713-4332

Department Recommendation: Staff recommends that Council consider the presentation by Mr. Sparks on Rail Preservation in Tulare County, including discussion on the East Side Rail. Council questions and comments are invited. A copy of Mr. Sparks' power point presentation is attached.

Summary/background: Tom Sparks, representing the Rail Advisory Committee of the Tulare County Association of Governments (TCAG), has requested an opportunity to make a presentation to the City Council on rail preservation efforts in Tulare County. This presentation will include discussion on the East Side Rail preservation effort.

Council questions and comments on current rail preservation efforts are invited.

Prior Council/Board Actions:

December 21, 2009 - Council opposed an item in Amendment #2 to the Measure R Sales Tax Expenditure Plan which would re-designate approximately \$3 million in Measure R Rail Preservation funds to enable purchase of rail tracks, fixtures and equipment along the East Side Rail corridor. Council opposed the Measure R amendment item because preservation of rail trackage and equipment was not a listed as a project in the Measure R Expenditure Plan as presented to Tulare County voters when Measure R was approved in 2006.

August 17, 2009 - Council took a position in support of the East Side Rail preservation effort with stipulations including limits on Measure R funding 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.): 15

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

October 20, 2008 – Council adopted Measure R Sales Tax Expenditure Plan Amendment #1 including creation of a \$3 million Rail Preservation Fund to be used for right of way acquisition for preservation of rail corridors

Committee/Commission Review and Actions: NA

Alternatives: NA

Attachments: Powerpoint presentation – “Rail Preservation in Tulare County”

Recommended Motion (and Alternative Motions if expected): Receive the presentation by Mr. Sparks; ask questions and provide comments as appropriate.

Environmental Assessment Status

CEQA Review: NA

NEPA Review: NA

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

Copies of this report have been provided to: NA

RAIL PRESERVATION IN TULARE COUNTY



**BY: Tulare County Association of Governments
Rail Advisory Committee
Speaker(s): Tom Sparks**



Three Reasons to Oppose the Abandonment



- To preserve options for solving increasingly difficult transportation, air quality, and other environmental challenges.
- To preserve options for present and future economic survival and expansion.
- Because we were being manipulated by the local railroad for short term gain and our own long-term loss.

Issues Related to Abandonment



- In 2008 the San Joaquin Valley Railroad (SJVRR) petitioned the Surface Transportation Board to abandon 30+ miles of local railroad due to it being non-profitable.
- During the past several years the SJVRR has imposed surcharges ranging from \$750 - \$2,800 per rail car to move goods along this segment of rail.
- The SJVRR has deferred necessary track maintenance resulting in lower train speeds and eventual inoperability.
- The SJVRR has refused service to several shippers along the southern segment and is asking customers on the northern segment to relocate.

Issues Related to Abandonment (ctd.)



- SJVRR is a subsidiary of Rail America, which is owned by Fortress, an investment firm (hedge fund). Last year RailAmerica began selling common stock.
- SJVR plans to refile a revised application to abandon Exeter to Strathmore.
- SJVR recently ceased operating between Exeter and Dinuba.
- SJVR has already abandoned and scrapped the rail line from Richgrove south to Hollis (9 miles)

Proposed Railroad Abandonments

- STB Docket No. AB-398 (Sub-No 8X)
- STB Docket No. AB-398 (Sub-No 7X)
- Railroads



INTERMODAL TRANSPORTATION



- **MOVING TRUCKS BY TRAIN**



PUBLIC BENEFITS



- **Less highway congestion**
 - 1 intermodal train = 280 trailers = 1000 autos
- **Greater fuel efficiency**
 - 10 times more efficient per 1 ton of cargo, over 400 miles
- **Cleaner air**
 - 6 to 12 times fewer pollutants
- **Responsible public policy**
 - Good for the economy
 - Efficient use of tax dollars

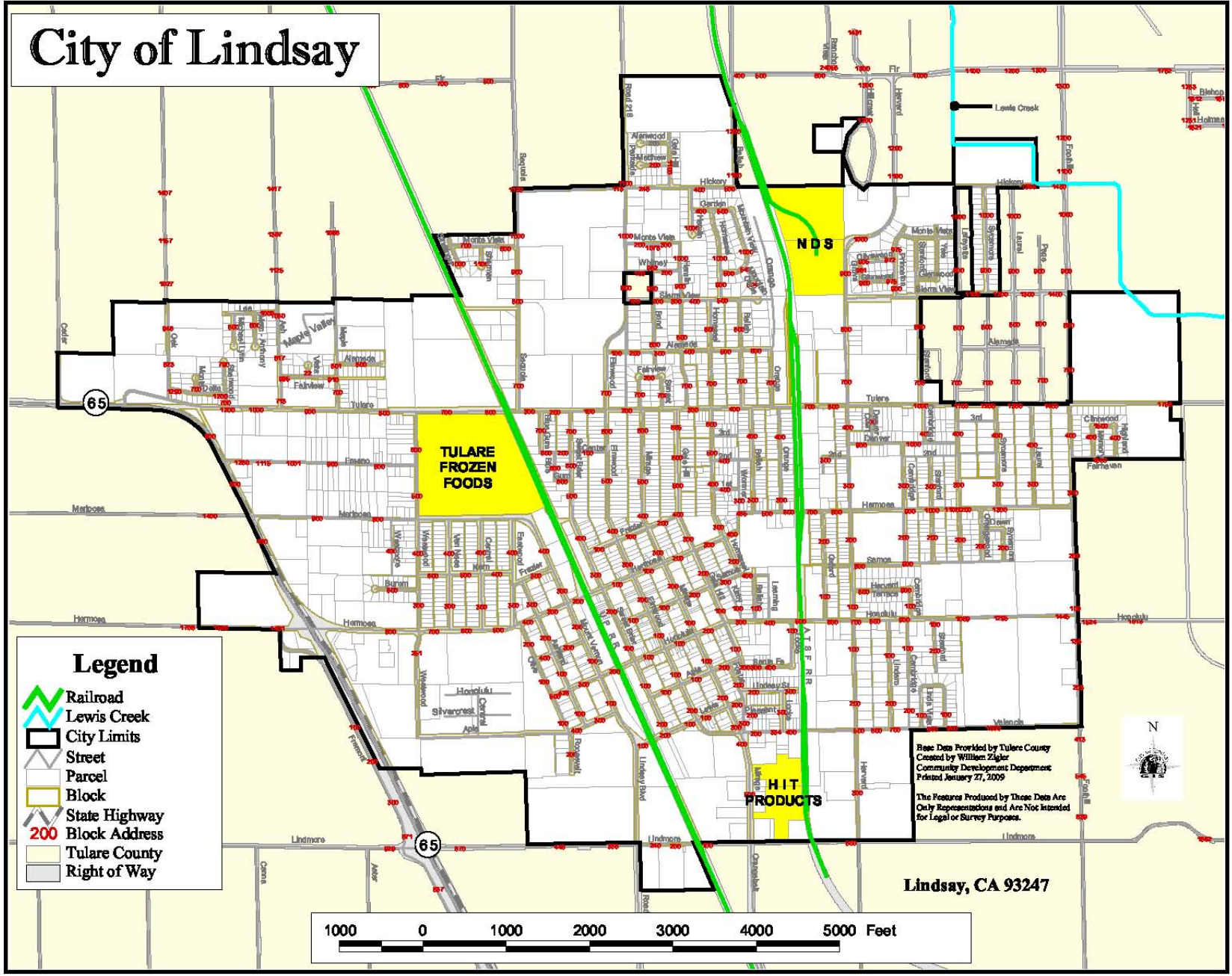
OUR CHOICE



- 365,000 fewer trucks
- \$635 billion highway user savings
- \$27 billion taxpayer savings
- \$401 billion shipper savings

- 509,000 more trucks
- \$492 billion cost to highway users
- \$21 billion cost to taxpayers
- \$326 billion cost to shippers

City of Lindsay



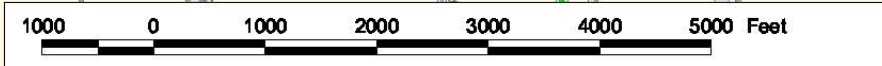
Legend

- Railroad
- Lewis Creek
- City Limits
- Street
- Parcel
- Block
- State Highway
- Block Address
- Tulare County
- Right of Way

Base Data Provided by Tulare County
 Created by William Ziegler
 Community Development Department
 Printed January 27, 2009

The Features Produced by These Data Are
 Only Representations and Are Not Intended for
 Legal or Survey Purposes.

Lindsay, CA 93247



Proposed Rail Abandonment



- 30 mile segment from Tulare/Kern County line to Exeter
- Operated by the San Joaquin Valley Railroad (SJVRR), a subsidiary of Rail America
- Right-of-way owned by Union Pacific
- Former Southern Pacific Rail Corridor
- SJVRR has 135 Customers
- Customers forming a Shippers Association



A Project of National Significance



THE SAN JOAQUIN VALLEY CORRIDOR

OPTIMIZING RAIL GOODS MOVEMENT FOR EXPORTS AND THE ENVIRONMENT

A Transportation Partnership Project
of the 8 San Joaquin Valley Transportation Planning Agencies and
the

San Joaquin Valley

BLUEPRINT

DRAFT






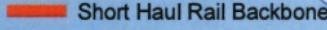

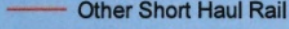
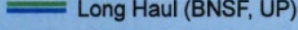
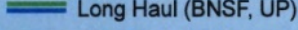
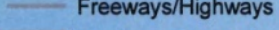

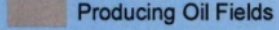
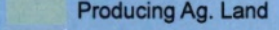

Short-Haul Rail System

SJ Valley National Agricultural Goods Movement & Trade Corridor Program

Proposed 300 mile rail backbone requiring 50 miles of re-construction.

Potential Phases

- Phase I
- Phase II
- Phase III

- | Potential | Existing |
|---|---|
|  |  Distribution Center |
|  |  Intermodal/Switching Hub |
|  |  Short Haul Rail Backbone |
|  |  Other Short Haul Rail |
|  |  Long Haul (BNSF, UP) |
|  |  Freeways/Highways |
|  |  Producing Oil Fields |
| |  Producing Ag. Land |
| |  County Boundaries |



San Joaquin Valley Regional Planning Agencies' Directors' Committee



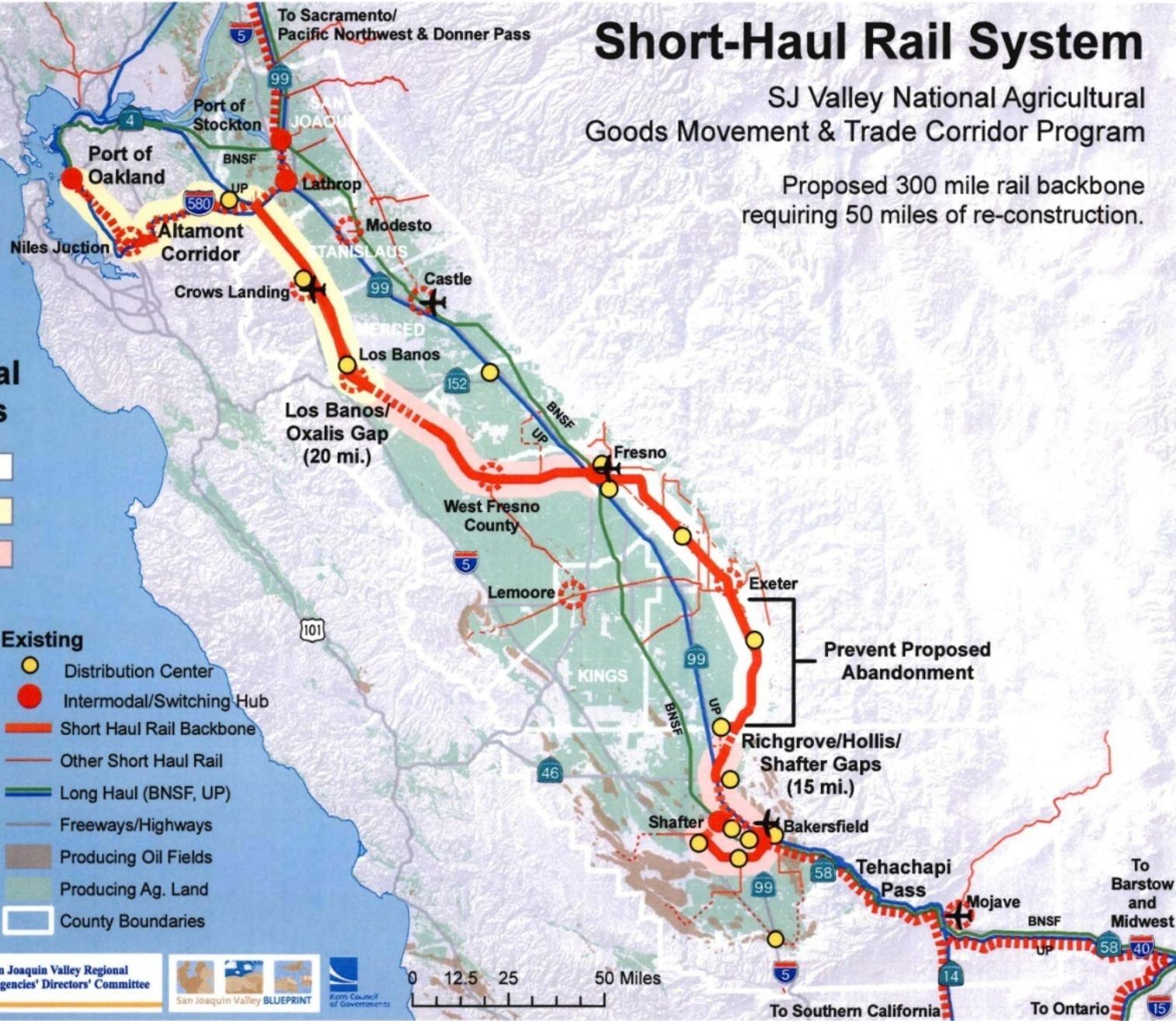
San Joaquin Valley BLUEPRINT



Kern Council of Governments



0 12.5 25 50 Miles



To Sacramento/
Pacific Northwest & Donner Pass

To Southern California

To Barstow and Midwest

To Ontario

A TRACK TO FEED THE WORLD



The San Joaquin Valley is home to the world's top agriculture and dairy producing counties. Counties in this region ship hundreds of commodities globally.

Goods movement: A national concern State Route 99 is the backbone that helps export the Valley's crops. But relying on diesel-fueled freight trucks - the largest single source of diesel pollution - for goods movement, has taken a toll on the state's poor air quality.



A rail demand

Goods movement by rail has become a top priority to tackle air pollution and traffic congestion. But rail lines are already impacted. Double-tracking the Tehachapi Pass will increase long-haul shipments by 70%, causing a costly bottleneck on the system.



The answer

Keeping short-haul rail intact in the Valley will strengthen national goods movement. The first phase of this option:

- Will complete short-haul rail from Bakersfield to Fresno
- Will be up and running in 7-10 years
- Will include the rehabilitation of 50 miles of rail
- Will reduce the federal trade deficit
- Will make exports more competitive globally
- Will reduce greenhouse gas emissions from freight trucks
- Will improve our goods movement system from the Port of Oakland to the world.

NATIONALLY SIGNIFICANT ... GLOBALLY ESSENTIAL

A TRACK TO FEED THE WORLD

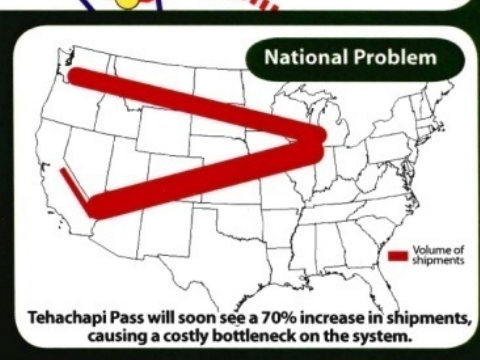


The Valley's railroads are struggling to get goods to market. Keeping short-haul rail intact from Bakersfield to Fresno is essential. The next transportation bill should include a short-haul rail program.

ESTIMATED PHASE I COST:
\$40 million
LOCAL MATCH: \$8 million
TOTAL NEEDED: \$32 MILLION

Legend

- | | | |
|-----------|----------|--------------------------|
| Potential | Existing | |
| | | Distribution Center |
| | | Intermodal/Switching Hub |
| | | Short-Haul Rail Backbone |
| | | Other Short-Haul Rail |
| | | Long Haul (BNSF, UP) |
| | | Freeways/Highways |



**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 7, 2010

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: Presentation regarding Tulare County General Plan Update and Draft Environmental Impact Report

Deadline for Action: NA

Submitting Department: Community Development

Contact Name and Phone Number: Mike Olmos 713-4332

Department Recommendation: Staff recommends Council hear the presentation by representatives of Tulare County regarding their General Plan Update and Draft Environmental Impact Report and discuss as appropriate.

Summary/background: Tulare County has recently released for public comment revised versions of their General Plan Update (GPU) and Draft Environmental Impact Report (EIR). The deadline to submit comments to the County on both documents is May 27, 2010.

Dave Bryant, Senior Planner with Tulare County Resource Management Agency overseeing their GPU update process, requested time on the May 17 agenda to make a presentation to the City Council on the GPU. Mr. Bryant is making similar presentations to the other cities in the County.

The presentation by Mr. Bryant and other County representatives will provide an opportunity for the Council and community to hear the County present their plan and to ask questions about the impact of their draft plan policies on the City and region.

At the request of the Council of Cities, planners from all the Cities have collectively reviewed the County's draft General Plan Update in detail. The planners have concluded that the Draft GPU proposes a profound shift in land use policy by the County. The current County plan emphasizes preservation of agricultural land by encouraging population growth and urban development to occur in the cities and rural communities with available public services. The County's draft plan reflects a shift to allowing significantly more development in the County, in rural communities, new towns, small rural enclaves (called "hamlets"), along major

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 _____
(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.

transportation corridors (including Mooney Boulevard and Highway 99), and within the Urban Area Boundaries and Urban Development Boundaries of incorporated Cities.

The Council of Cities, and staff from the individual cities, have expressed deep concern about the negative impacts arising from the County becoming active in development within City UABs and UDBs. These concerns include, but are not limited to:

- Development on County lands within our UDB's and UABs will encourage proliferation of unincorporated pockets of suburban sprawl that have limited public services.
- County developments are generally not properly designed for urban environments and do not effectively utilize land, making them difficult to integrate into cities.
- County developments have historically been poorly maintained, resulting in significant costs to cities after annexation.
- Though significant problems may exist in County developments, residents of these areas will often resist annexation, creating obstacles to annexation and extension of infrastructure to serve future city growth.
- County developments will look to the cities for education, jobs, retail, and other services, creating burdens on the cities but not paying proportionate shares of costs.
- The County may seek to compete for retail and industrial growth within our UABs and UDBs, instead of working with the cities to attract these developments inside of cities where full urban services are available.
- Sprawled development patterns will increase air quality impacts and frustrate attempts to meet SB 375 mandates and are not conducive to provision of urban transit systems.

Attorney Tamara Galanter, on behalf of the Council of Cities has submitted an 80 page letter and attachments containing comments to the County on the GPU/EIR on behalf of the Council of Cities. The issues listed above are included in the comment letter.

Prior Council/Board Actions: NA

Committee/Commission Review and Actions: NA

Alternatives: NA

Attachments: Tulare County presentation powerpoint

Recommended Motion (and Alternative Motions if expected): Consider the presentation by Tulare County representatives; ask questions and discuss as appropriate.

Environmental Assessment Status

CEQA Review: NA

NEPA Review: NA

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

Copies of this report have been provided to: NA

Tulare County General Plan 2030 Update Background Information
March 25, 2010

Tulare County General Plan 2030 Update

The February 2010 draft of the Tulare County General Plan 2030 Update (General Plan Update) documents, which includes Part I, Goals and Policies Report, and Part II, Area Plans, the Recirculated Draft Environmental Impact Report (RDEIR), and the Tulare County General Plan 2010 Background Report are now available for review. A Climate Action Plan has been prepared as an implementation measure of the General Plan Update. The Climate Action Plan is not a part of the formal General Plan Update documents but will be considered for approval subsequent to the adoption of the General Plan Update. These documents are available for review at the County of Tulare Resource Management Agency, located at the Tulare County Government Plaza, 5961 S. Mooney Blvd. in Visalia, California or at any of the Tulare County's library branches. The documents can also be found at the County's website (www.co.tulare.ca.us). For further information, please contact David Bryant, project planner at (559) 624-7000.

The County's General Plan provides a comprehensive, long-term plan for land use and physical development in the unincorporated areas of the County. The County's General Plan consists of development policies that set forth objectives, principles and standards that guide land use decisions within the County. The general plan and its figures, diagrams, and development policies form the basis for the County's zoning, subdivision, and public works decisions.

The General Plan Update maintains the long standing tradition of supporting sustainable agricultural resources through the Rural Valley Lands Plan, and directing future urban growth into established areas containing existing development through the proposed Planning Framework Element (update of the existing Urban Boundaries Element).

The California Environmental Quality Act (CEQA) requires the County to have a public review or comment period wherein interested parties, including but not limited to public entities, private individuals and special interest groups, can comment in writing on the RDEIR. This public comment period will open on March 25, 2010 and close at 5:30 p.m. on May 27, 2010 for a 60 day review period. Notice of this public comment period will be published once on March 25, 2010, in a number of local newspapers in the County. At the end of the public comment period, the County plans on preparing a Final Environmental Impact Report (FEIR) on this project as required under CEQA. The FEIR will consist of the RDEIR and the County's responses to the comments received during the public comment period.

After the preparation of the FEIR, the Tulare County Board of Supervisors and the Tulare County Planning Commission plan to hold a joint public workshop on the General Plan Update in the Chambers of the Board of Supervisors, Administration Building, County Civic Center, 2800 West Burrel, Visalia, California. The workshop will provide the Board of Supervisors and Planning Commission with a review of the preliminary responses to comments on the RDEIR, and seek direction regarding the completion of the General Plan Update process. A notice of this workshop will be published. Copies of the notice will be sent to any individual or entity requesting notice. After this workshop the Planning Commission will meet in a noticed public hearing to review the proposed project and make recommendations to the Board of Supervisors. After the Planning Commission has made its recommendation on the proposed project, the Tulare County Board of Supervisors will notice and hold a public hearing on the proposed General Plan Update and will consider the Final EIR. Both of these public hearings will be noticed separately. Copies of the notice will be sent to any individual or entity requesting notice.

Historical Background:

After many community and County workshops, the County published in January 2008 a proposed Tulare County General Plan Update and Draft Environmental Impact Report (DEIR). The DEIR was circulated for public review and comment for an extended period of over 90 days (January 14, 2008 through April 15, 2008) to allow for maximum public involvement and input. During the public review period, the County received approximately 95 written communications from agencies, organizations and individuals with comments on the General Plan Update and DEIR.

The County and its consultants reviewed these comments to determine whether any additional environmental analysis would be required to respond to issues raised in the comments. Based on that review, the County determined that several subjects warranted additional information, analysis or clarification. In its role as the lead agency, the County directed the recirculation of a revised DEIR for the proposed project. Consideration of the various comments received on the DEIR, as well as continued developments in the areas of air quality, climate change impacts regulation and water resources resulted in the County's decision to update a number of sections of the previous DEIR as well as the Background Report. This effort has resulted in the proposed General Plan 2030 Update and RDEIR, released on March 25, 2010.

Although a part of the administrative record, the comments from the public and public entities received on the January 2008 DEIR do not require a written response in the FEIR because of the RDEIR that is being circulated at this time. The County, as provided in CEQA Guidelines, section 15088.5(f)(1), will not respond to individual comments received on the January 2008 Draft EIR but will respond to any new comments received on this February 2010 RDEIR as part of the FEIR to be considered by the Planning Commission and Board of Supervisors.

The following is a summary of current revisions to the General Plan Update.

1. **Introduction Hierarchy:** The Introduction chapter to Part I of the General Plan update has been revised to provide a clear hierarchy and summary of the General Plan Update document and how it relates to the existing General Plan documents the County will retain (i.e. Community Plans).
2. **Existing Plans Incorporated by Reference:** Part III of the General Plan update consists of the existing Plans and Amendments that will not be revised or re-adopted (Community, Hamlet, County Adopted City General, Valley Sub-Area, Corridor Sub-Area, and Mountain Sub-Area Plans). These plans are not being amended by the General Plan Update but are listed in Part I, Chapter 1 (Introduction) for reference. These plans and amendments are available on the County General Plan Update website or by compact disks (CD) upon request for the cost of copying the CD (six disks total) Each County library branch with computers available to the public will also have a copy of these CDs.
3. **Land Use Matrix:** A land use designation supersedure table/matrix, similar to a Land Use Designation/Zoning Matrix has been added that will realign existing land use designations into those of the proposed GPR.
4. **Updated Figures and Diagrams:** Many figures and diagrams have been revised, including but not limited to the following: Figure 4-1 in the Land Use Chapter of Part I has been revised to provide greater clarity. The revised diagram identifies all boundaries including Urban Development Boundaries (UDB's), Area Plans, Foothill Development Corridors, Rural Valley Lands Plan Area, Urban Area Boundaries (UAB's), and all new boundaries such as hamlets (HDB's), and Mountain Service Centers (MSC's). Other figures and diagrams have been added, corrected or revised as needed for clarity.

5. **Minor Corrections:** Minor changes have been made to the General Plan Update to include material inadvertently omitted in the older (2008) version, to provide clarification to policies, and Implementation timeframes, and to change the formatting to an easier to read (one column style instead of two).
6. **Implementation Measures:** Certain implementation measures that were simply a restatement of state law have been eliminated or condensed.
7. **Initiated Climate Action Strategy:** In light of on-going developments in the Global Climate Change arena, the RDEIR suggests new or revised policies that may be added to the General Plan Update policies document, including but not limited to air quality, health and safety, and water resources policies. A Climate Action Plan has been proposed as an implementation measure and will be considered for adoption after the adoption of the General Plan Update.
8. **Policies related to unincorporated areas around cities:** The proposed General Plan update includes revised policies in unincorporated areas around cities pertaining to urban development. The revised policies would provide a unique opportunity for coordinated development with incorporated cities within County Adopted City Urban Boundaries.

Draft Environmental Impact Report

The RDEIR is designed to assess the environmental impacts of the proposed Tulare County General Plan Update. Additionally, the RDEIR is intended to identify ways to minimize significant effects of the General Plan Update and describes reasonable alternatives to the General Plan Update that would avoid or reduce the General Plan Update's significant effects (Section 15121[a] CEQA Guidelines).

The Background Report, an informational document, offers insight into the conditions and environment that existed in the County during the preparation of the General Plan. The RDEIR lists the potential effects that the new policies found in the General Plan Update will have on the environment and identifies mitigation measures that could potentially lessen the effects of these impacts. The RDEIR also contains an executive summary and describes the environmental setting of the General Plan Update.

The following is a summary of current revisions to the DEIR, resulting in the RDEIR, and Background Report:

1. **Initiated Climate Action Strategy:** In light of the recent legislative actions specific to sustainability and climate change, the County has initiated a Climate Action Strategy specific to its unique rural nature. As an initial step, the County has prepared a Greenhouse Gas (GHG) Inventory for the Planning Area. Information from the inventory, as well as applicable regulatory information is incorporated into the "Air Quality" and "Energy and Climate Change" sections of the recirculated DEIR. Subsequently, the analysis of air quality impacts now includes a more robust discussion of the proposed project's impacts associated with climate change. Additionally, the RDEIR now includes and will be included within the Final General Plan Update, a number of additional policies (in the areas of sustainability, energy conservation, and climate change) that will assist the County in meeting the GHG emissions reduction goals set by the State.
2. **Updated Figures and the Land Use/Circulation Diagram:** The County has developed a land use/circulation diagram showing the location of all future growth areas proposed as part of the General Plan Update. Refer to Figure 2-2 in Chapter 2, Project Description. This figure also identifies Development Boundaries within which future urban growth is expected to occur. Updated Geographic Information System mapping data (e.g., Important Farmlands, etc.) and

available resource agency data (e.g., air quality monitoring, California Natural Diversity Database (CNDDDB), etc.) has been included.

3. **Greenhouse Gas Inventory:** The RDEIR includes a more thorough list of estimates for stationary sources of air pollution, including industrial emissions, residential emissions, agricultural emissions, landfills, power plants, and oil and gas production. Many of these sources were developed as part of the Greenhouse Gas Inventory report and subsequently incorporated into the RDEIR.
4. **Environmental Setting:** Updated the environmental setting to include any newly available data. The RDEIR now contains its own environmental setting integrated into the document.
5. **Updated General Plan Background 2010 Report:** To the extent feasible, the County has reviewed or updated baseline data in the General Plan Background Report for topics for which more recent data was available. These topics include Market Conditions and Demographics, Land Use, Agriculture, Recreation, and Open Space, Biological Resources, Air Quality, Safety (including Geologic and Seismic Hazards, Flood Hazards, Fire Hazards, Human-Made Hazards, and Climate Change), Biological, Archaeological, and Historical Resources, Natural Resources (including Mineral Resources, Oil and Gas Resources, and Timber Resources), and Scenic Landscapes. Changes have been made to the Background Report to include material that was inadvertently omitted from the prior version, clarification provided, and formatting, order and clerical errors corrected including updating information on: Important farmlands (FMMP) and Williamson Act lands, current crop types, updated or current information regarding the Reasonable Available Control Measures (RACM) programs, overall update of the air quality regulatory setting, wildland fire hazard areas, biological resources, which included updating the California Natural Diversity Data Base (CNDDDB), and updated Historic Resources.
6. **Updated Water Supply Evaluation:** The RDEIR incorporates the results of a water supply evaluation prepared for the proposed project. Using the most current (or readily available) data from the Department of Water Resources and other sources, the water supply evaluation provides a representation of 'existing' supply and demand conditions and projects 'future' conditions contemplated by the proposed project. The RDEIR updated conditions as it pertains to water, wastewater and sewer. Each community service district (CSD) area was reviewed and updated as needed. Identification of sanitary sewer service providers, community/urban water suppliers, solid waste and storm drainage infrastructure was assessed and updated as needed.
7. **Updated Information:** The RDEIR was prepared based on the updated technical studies and new information contained in the updated background report and other technical reports.
8. **Organization of the RDEIR:** The County has simplified the organization of the RDEIR to more closely resemble the CEQA Checklist found in Appendix G of the CEQA Guidelines. While the original DEIR incorporated the Background Report information and data by reference, this RDEIR includes relevant information from the Background Report directly in the "Environmental Setting" and "Regulatory Setting" sections of each EIR resource section. Much of this information has been updated, as described previously.

Climate Action Plan

As part of the Climate Action Strategy, a Climate Action Plan has been prepared. The Tulare County Climate Action Plan (CAP) serves as a guiding document for County actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the General Plan 2030 Update. An Implementation Measure is a specific action, program, procedure,

or technique. Implementation Measures are provided to help ensure that appropriate actions are taken to implement the General Plan. Implementation Measures may be adjusted over time, without amending the General Plan, based on new information, changing circumstances, and evaluation of their effectiveness, so long as they remain consistent with the intent of the General Plan and adopted mitigation measures. The General Plan provides the supporting framework for development in the County to produce fewer greenhouse gas emissions during Plan buildout. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets consistent with California legislation.

Comments on the RDEIR

New comments must be submitted for the RDEIR, because, as mentioned above, Tulare County will not respond to those comments submitted in response to the previous DEIR of January 2008 (Section 15088.5, California Environmental Quality Act (CEQA) Guidelines). **The RDEIR will have a public review period of 60 days**, starting on March 25, 2010 and ending on **May 27, 2010 at 5:30 p.m.** Any written comments on the RDEIR must be received by the County by 5:30 p.m. on May 27, 2010, at the Tulare County Resource Management Agency at Government Plaza, 5961 South Mooney Boulevard, Visalia, CA 93277 to the attention of David Bryant, Project Planner, in order to be included in the FEIR.

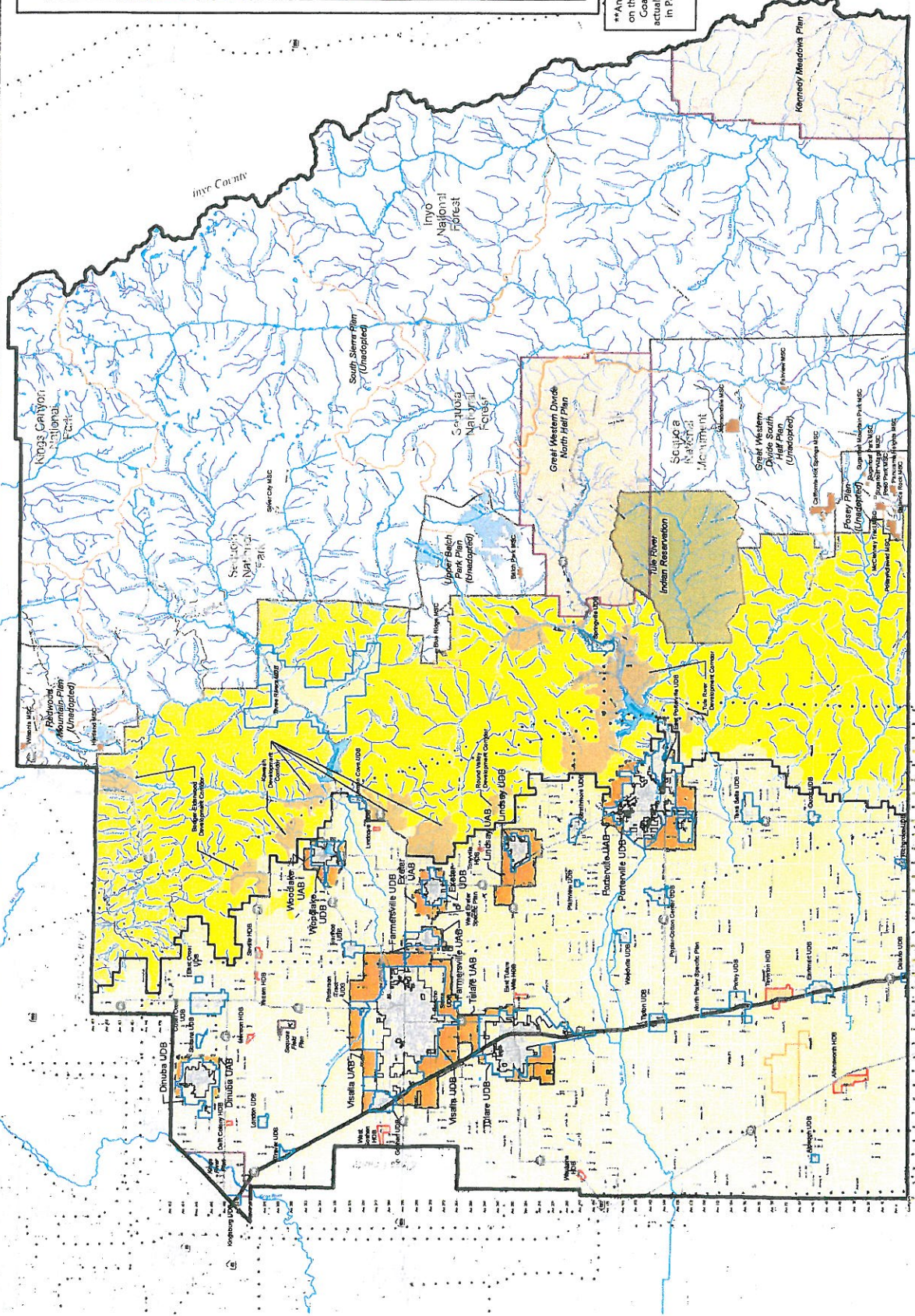
Once this public comment period has ended, the County will prepare a proposed Final EIR and set a joint workshop of the Board of Supervisors and Planning Commission. After the joint workshop, it is anticipated that the County will 1) schedule and notice a public hearing on this matter in front of the Planning Commission, and 2) schedule a separate, subsequent public hearing on the matter in front of the Board of Supervisors to consider the recommendations of the Planning Commission before the Board of Supervisors makes its decision on the certification of the FEIR and adoption of the proposed General Plan Update. Anyone desiring mailed or e-mail notice of the workshop and/or future public hearings should make sure that a request for notice is on file with the Tulare County Resource Management Agency.

Legend

Regional Planning Framework, Land Use Designations & Boundaries

- Urban Boundaries**
 - Urban Area Boundaries
 - Urban Development Boundaries
 - Hamlet Development Boundaries
- Foothill Growth Management Plan**
 - Foothill Mixed Use
 - Foothill Agriculture
 - 600' Elevation
- Rural Valley Lands Plan**
 - Valley Agricultural
 - Mountain Plan
 - Mountain Service Centers
 - Subarea Plan Boundaries
 - Resource Conservation
 - Timber Production
- Other**
 - Government Lands
 - City Limits
 - Various Adopted Plans
 - Native American Reserve
 - Railroads
 - Power Transmission Lines
 - Airports
 - County Boundary

**Any variation between the boundaries depicted on this map and those located in the General Plan Goals and Policies Report are superseded by the actual boundaries as adopted in the plans identified in Part III of the General Plan Update and other official government boundaries.



Tulare County Planning Areas Figure 4-1



What is the Referral Process?

The County referral process is an informal communication between the Applicant, County and incorporated Cities. Proposed Development within adopted Urban Area Boundaries (UAB), Urban Development Boundaries (UDB), or Sphere Of Influence (SOI) are evaluated. Some project sites may be recommended for annexation which will require a Local Agency Formation Commission (LAFCO) Annexation request and Public Hearing process.

The referral process will include submitted applications for a variety of land use developments.

The County Referral Process for proposed Development projects located within the UAB includes the following steps:

1. Request for development is forwarded to the appropriate City for comments.
2. The County will consider comments from the City as part of the County Development Review process.

The County Referral Process for proposed Development projects located within the UDB includes the following steps:

1. Pre-application conference with RMA Planning Staff.
2. Completed application and application processing fee is submitted to the RMA Permit Center.
3. County Planning staff prepares a letter requesting the City's input and or recommendations. Response time from a City is typically 30-days.
4. Applicant is notified during the request/response time in regard to the City's comments and or recommendations.

5. If the City recommends or requests annexation of the site, the applicant files an application for annexation with the City.
6. If the City does not recommend or request annexation, the County will proceed to process the application based on County policies, ordinance code, and development standards.

The LAFCO Process

1. The Applicant meets with County staff to discuss possible annexation.
2. LAFCO and City Staff meet to discuss the Annexation request and procedures.
3. The City must adopt a Resolution requesting that LAFCO initiate annexation proceedings.
4. The City Submits a Resolution of application along with a complete application packet to LAFCO. Visit LAFCO website for other information and application.
5. A Public Hearing will be scheduled within 90 days of an accepted complete application. LAFCO meets on the first Wednesday of each month.
6. The LAFCO process will require at least 120 days from day of a complete application submittal.

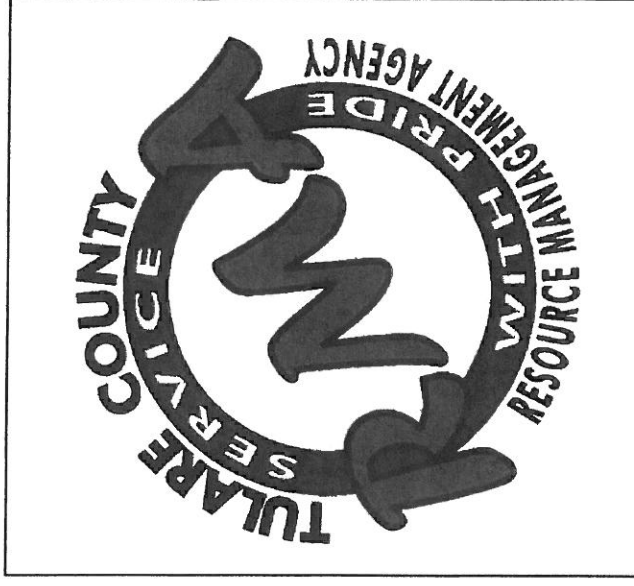
City Contact Information:

City of Visalia – Planning Division
Phone #:(559) 713-4359
Address:315 East Acequia Avenue,
Visalia, CA 93291

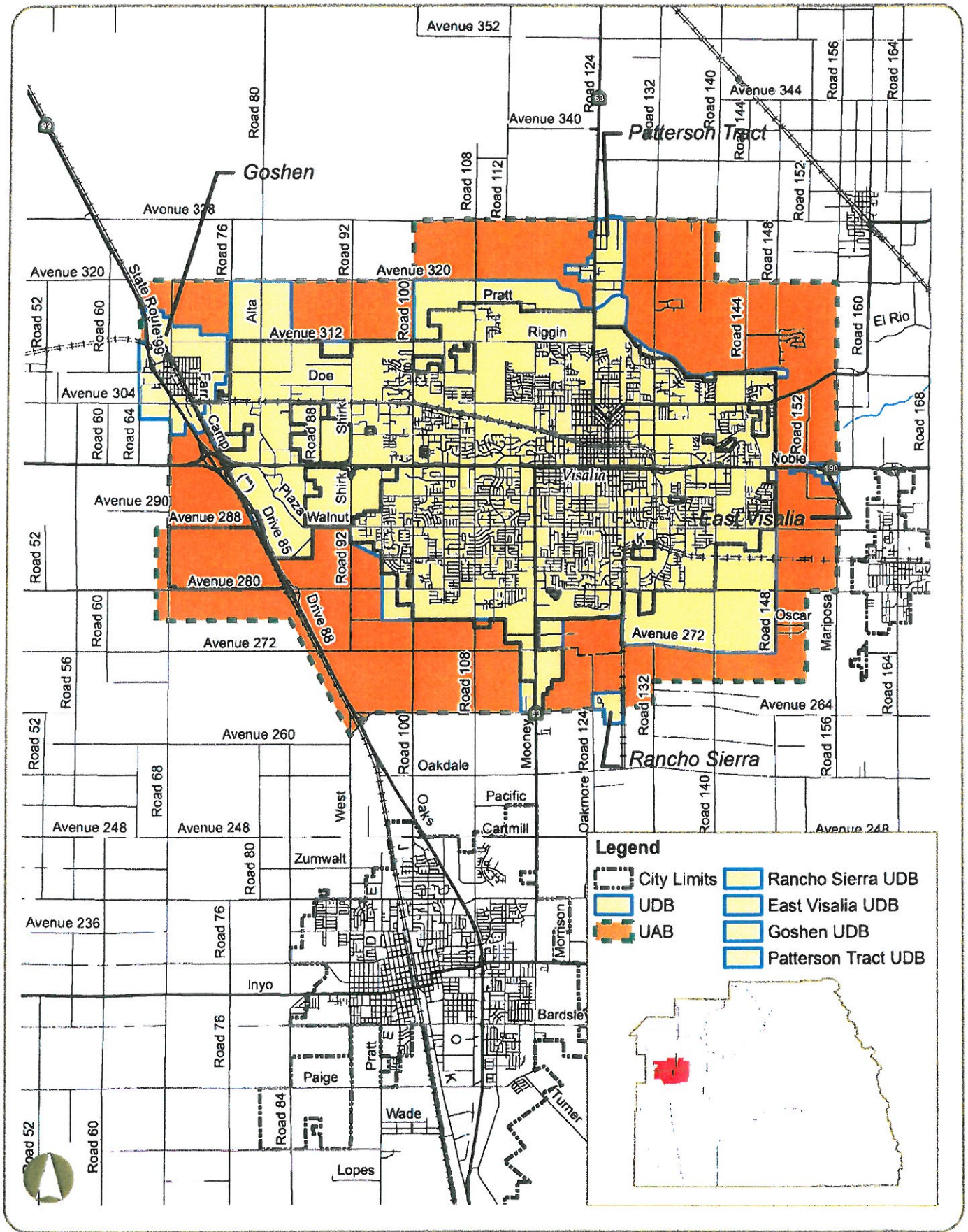
City of Visalia

REFERRAL PROCESS FOR DEVELOPMENT AND ANNEXATION

AN INFORMATIONAL GUIDE



Tulare County
Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277
(559) 624-7000
www.co.tulare.ca.us
02/24/2010



City of Visalia | Figure 2.4-8

2.4 Cities

Figure 2.4-1 shows the locations of all eight incorporated cities within Tulare County and Figures 2.4-2 through 2.4-9 show the County Adopted City (CAC) UABs and UDBs for each city:

- Dinuba
- Exeter
- Farmersville
- Lindsay
- Porterville
- Tulare
- Visalia
- Woodlake

In addition, two cities outside of the County share a common border with the County and there has been urban development in adjacent County unincorporated areas. These two cities are Delano and Kingsburg. The County has established UDBs for these cities/areas as shown in Figures 2.4-10 and 2.4-11.

The following goal and policies are designed to foster a cooperative planning environment between the County and each city with respect to development within the fringe areas of the cities.

PF-4	To direct urban development within UDBs of existing incorporated cities and ensure that all development in unincorporated areas adjacent to incorporated cities is well planned and adequately served by necessary infrastructure and other public facilities and furthers countywide economic development goals <i>[New Goal]</i>
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PF-4.1 CACUABs for Cities

The County shall establish CACUABs which define the area where land uses are presumed to have an impact upon the adjacent incorporated city, and within which the cities' concerns may be given consideration as part of the land use review process. The lands within the UAB are considered to be the next logical area in which urban development may occur and the area within which UDBs may ultimately be expanded.

Although it is the policy of the County that this area will at some time become appropriate for urban development, generally no public purpose is served by permitting intensive development therein. As communities grow and expand, it is logical to assume the UDBs may be correspondingly expanded or established until they coincide with the ultimate UAB. The land lying between the Urban Development Boundary and the Urban Area Boundary will generally have an agricultural land use designation or rural residential land use designation in conformity with Land Use Policy LU 3.8: Rural Residential Interface *[Urban Boundaries Element Policy 1UB.a.1. Modified]*.

PF-4.2 CACUDBs for Cities – Twenty Year Planning Area

The County shall establish CACUDBs which define the anticipated twenty-year planning areas around incorporated cities in which the County and cities may coordinate plans, policies, and standards relating to building construction, subdivision development, land use and zoning regulations, street and highway construction, public utility systems, environmental studies, water supply availability and sufficiency, and other closely related matters affecting the orderly development of areas adjacent to incorporated cities. It is recognized that these boundaries provide an official definition of the interface between future urban and agricultural land uses.

Within this boundary, the County may also establish planning areas representative of shorter time periods in order to assist in more precise implementation of plans and policies

Tulare County General Plan

[Urban Boundaries Element; I. Urban Development Policies; Goal 1; Policy 1.1] [Urban Boundaries Element Amendment (88-01); 1988, Modified].

PF-4.3 Modification of CACUABs and CACUDBs

The County may consider modification of CACUABs and CACUDBs at such time as the land use plan for a city is revised to reflect changing needs and circumstances over an extended time frame. Preservation of productive agricultural lands and operations shall be one consideration when considering such modifications. Cities may examine existing CACUAB and CACUDB lines and recommend changes to the Board of Supervisors, as appropriate *[Policy 1UB.F.2, Modified].*

PF-4.4 Planning in CACUDBs

The County acknowledges that the cities have an interest in planning for growth within a CACUDBs and will in the future become ultimately responsible for urban development and the provision of urban services within those areas upon annexation *[New Policy].*

PF-4.5 Spheres of Influence

CACUDBs and the SOI as administered by LAFCo may be consistent insofar as it is feasible and appropriate to do so *[New Policy].*

PF-4.6 Orderly Expansion of City Boundaries

When the County is considering outward expansion of County adopted city UDBs, the following criteria shall be encouraged:

- The city has demonstrated a need for additional territory after documenting a good faith effort to implement programs for infill development and/or increased efficiency of development and minimize conversion of agricultural lands.
- UDBs should not be expanded onto Prime Farmland if Farmland of Statewide Importance or of lesser quality is available and suitable for expansion.
- Emphasis shall be placed upon reasonable expectations for the provision of urban services within the next twenty years as reflected in LAFCo's Municipal Service Reviews when determining the location of UDBs *[New Policy].*

PF-4.7 Avoiding Isolating Unincorporated Areas

The County may oppose any annexation proposal that creates an island, peninsula, corridor, or irregular boundary. The County will also encourage the inclusion of unincorporated islands or peninsulas adjacent to proposed annexations *[New Policy, consistent with LAFCo policy].*

PF-4.8 General Plan Designations Within City UDBs

On land that is within a CACUDB, but outside a city's incorporated limits, the County may maintain General Plan land use designations that are compatible with the city's adopted General Plan *[New Policy].*

PF-4.9 Updating Land Use Diagram in CACUDBs

Following city adoption of a General Plan update or amendment that reflects the area within a CACUDB, the County shall update Part III (Community Plans, Kings River Plan, Mountain Sub-Area Plans, and County Adopted City General Plans), if applicable, to reflect the city's modified plan. Any unresolved conflicts between the County and city plans shall be identified for the Board of Supervisors. The County shall establish and maintain land use controls on

unincorporated lands within the UDB consistent with the policies of the County General Plan *[New Policy]*.

PF-4.10 City Design Standards

Where the Board of Supervisors finds that it is consistent with General Plan objectives to approve development within the UDBs of incorporated cities, the County may require the project to substantiate sufficient water supply and meet the County adopted city development standards of the city in question *[Urban Boundaries Element; VII. Policies Regarding Subdivision and Development Standard Policies; Goal 5; Policy 5.2] [Urban Boundaries Element Amendment (88-01); 1988, Modified]*.

PF-4.11 Transition to Agricultural Use

The County shall encourage cities to adopt land use policies that minimize potential conflicts with agricultural operations and other agricultural activities at the urban edge through the provision of appropriate buffers or other measures *[New Policy]*.

PF-4.12 Compatible Project Design

The County may ensure proposed development within CACUABs is compatible with future sewer and water systems, and circulation networks as shown in city plans *[New Policy]*.

PF-4.13 Coordination with Cities on Development Proposals

The County shall ensure that urban development only take place in County Adopted City UDBs if one of the following has occurred:

1. The adjacent city does not consent to annex the property for development purposes (as evidenced through pre-zoning, development agreements, etc.); it shall be conclusively presumed that a city has not consented if it has not submitted an annexation proposal to LAFCo within six months from the date a request to annex is submitted to the city; or
2. Annexation is not possible under the provisions of State law, but it is determined by the County that development of the site does not constitute incompatible development *[Urban Boundaries Element; Chapter IV; D. Management; Implementation Program D-2] [Urban Boundaries Element; Chapter IV; Pg; 20; 1988, Modified]*.

PF-4.14 Revenue Sharing

As an incentive for directing urban growth into cities when applications are proposed within the CACUDBs, the County shall promote revenue sharing as an element of negotiation whenever:

1. A city updates its General Plan and requests the County to update its County Adopted City General Plan.
2. When establishment or amendment to Spheres of Influence are proposed.
3. Annexations are proposed by cities, or joint development or redevelopment projects are proposed by any city and the County.

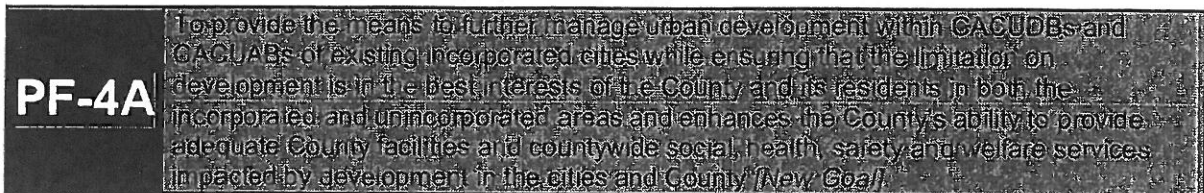
As an additional incentive for directing urban growth into cities, any city proposing changes to a County Adopted City General Plan or other County land use regulations shall pay to the County its cost in considering and implementing such proposal *[New Policy]*.

PF-4.15 Urban Improvement Areas for Cities

All Urban Improvement Areas established in the 1974 Urban Boundaries Element for cities and adjacent cities in adjacent counties, are hereby converted to Urban Development Boundaries *[New Policy]*.

PF-4.16 Coordination with Cities in Adjacent Counties

The policies set forth in this Section (PF-4: Cities) shall also apply to planning and development within the UDBs of adjacent cities in adjacent counties (Corcoran, Delano, Kingsburg, Orange Cove, and Reedley), except Policy PF-4.4: Planning in UDBs *[New Policy]*.



PF-4.17 Cooperation with Individual Cities

The County may use the policies set forth under this goal (PF-4A: Cities: Continued) to work with individual cities to further manage development within that CACUDB or CACUAB to the extent that the financial needs of the County are met and the County's ability to provide facilities and County services used by all of the residents in the County and cities is enhanced *[New Policy]*.

PF-4.18 Future Land Use Entitlements in a CACUDB

The County may work with an individual city to limit any General Plan amendments to change the land use designations of any parcel or any amendments to the County zoning ordinance to add uses to a current zoning classification or change the zoning district designation of any parcel within a CACUDB except as follows:

- a. This policy will not apply to amendments or changes to a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new County unincorporated UDB, an HDB, Planned Community or Corridor Plan area that may fall within a CACUDB area.
- b. This policy will not apply where the General Plan land use designation or the zoning district classification of a particular parcel is inconsistent with an existing special use permit, variance, or non-conforming use.
- c. This policy will not apply where there is no viable use for the parcel under the existing General Plan land use designation or zoning district classification due to, but not limited to, the following: size, shape, topography, soil content or classification, water availability, location, existing structures and site improvement, or surrounding uses as determined by the RVLP checklist. The County shall encourage beneficial reuse of existing or vacant agricultural support facilities for new businesses (including non-agricultural uses).
- d. This policy will not apply where the effect of the amendments to the General Plan land use designation or of the rezoning is to designate or zone the parcel to an agricultural designation or zone.
- e. This policy will not apply where amendments to the General Plan land use designations or the zoning classifications apply only to that portion of a CACUDB that is overlapped by a County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area.
- f. This policy will not apply where amendment to the General Plan land use designation or the zoning classification is required to bring the County regulations into compliance with more restrictive State or Federal statutes or regulations.

- g. This amendment will not apply where amendments to the Zoning Ordinance are part of a comprehensive modernization or restructuring of the processes or procedures set out in the Zoning Ordinance or part of a comprehensive update to the text of the zoning classifications to bring the Zoning Ordinance procedures and text into consistency with the General Plan update. [This comprehensive modernization, restructuring or update would not include any rezonings outside that allowed in this policy. However, revision of processes and procedures and simplification of existing ordinances may occur.]
- h. This policy would not apply to a comprehensive update of a County Adopted City General Plan, including rezoning there under, in cooperation with the affected city.
- i. This policy would not apply where the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning classification *[New Policy]*.

PF-4.19 Future Land Use Entitlements in a CACUAB

As an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CACUBDs and is only advisory within CACUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the current land use designation or zoning classification of any parcel within a CACUAB unless appropriate under the requirements of the Rural Valley Lands Plan (RVLP) or similar checklist or unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning classification. This policy will not apply to amendments or changes to an County unincorporated UDB, Hamlet Development Boundary (HDB), or Corridor Plan area boundary line, including where the boundary line may increase an overlap area with a CACUDB area, or to any General Plan amendment adopting a new UDB, an HDB, or Corridor Plan area that may fall within a CACUDB area. This policy shall not apply within a County unincorporated UDB, an HDB, or Corridor Plan area where that area overlaps a CACUAB area *[New Policy]*.

PF-4.20 Application of the RVLP Checklist to Control Development in a CACUDB

As an exception to the County policies that the Rural Valley Lands Plan does not apply within CACUBDs, the County may work with an individual city to provide that the requirements of the RVLP or similar checklist will apply to applications for special use permits (including special use permits for the expansion of a non-conforming use), variances considered under Government Code § 65906, or to the extent allowed by law, divisions of land within a CACUDB except in those areas that overlap with a County unincorporated UDB, an HDB, or Corridor Plan area. Such a special use permit, variance, or division of land will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors as well as compliance with any County adopted urban or city development standards and with the city's General Plan policies as reflected in the County Adopted City General Plan *[New Policy]*.

PF-4.21 Application of the RVLP Checklist to Control Development in a CACUAB

As an exception to the County policies that the Rural Valley Lands Plan is only advisory within CACUABs, the County may work with an individual city to provide that the requirements of the RVLP will apply to applications for special use permits (including special use permits for the expansion of a non-conforming use), variances considered under Government Code § 65906, or to the extent allowed by law, divisions of land within a CACUAB except in those areas that overlap with a County unincorporated UDB, an HDB, or Corridor Plan area. Such a special use permit, variance, or division of land will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors *[New Policy]*.

Also see Part II Policy R/LP 1.4 Determination of Agriculture Land and Section 1.3 Rural Valley Lands Plan Criteria and Evaluation Matrix.

PF-4.22 Reuse of Abandoned Improvements in a CACUDB

In accordance with other policies in this General Plan, the County may work with a city to provide that any alternative land uses within a CACUDB not otherwise allowed under a particular zoning classification but which are allowed by County policies due to the existence of abandoned structures or improvements with no other available, viable economic uses on the parcel will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors [New Policy].

PF-4.23 Reuse of Abandoned Improvements in a CACUAB

In accordance with other policies in this General Plan, the County may work with a city to provide that any alternative uses within a CACUAB not otherwise allowed under a particular zoning classification but which are allowed by County policies due to the existence of abandoned structures or improvements with no other available, viable economic uses on the parcel will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors [New Policy].

PF-4.24 Annexations to a City within the CACUDB

In addition to the County's current policies on development within a CACUDB, the County may work with a city to provide that urban development projects within a city's Sphere of Influence (SOI) as set by the Tulare County Local Agency Formation Commission will be referred to the affected city for consideration of annexation in accordance with, but not limited to, the following concepts:

- a. Urban development projects, to which the referral policy applies, would be those projects for which a special use permit is required. Any urban development project not subject to special use permit requirements would still comply with County adopted city development standards, County Adopted City general plans and zoning and any County adopted city long-range infrastructure plan.
- b. The referral would, at least, be subject to the requirement that the city inform the County within three (3) months that it is or is not able and willing to commence annexation proceedings to accommodate the project; or the city is willing and able to commence annexation proceedings, the County would not take action to approve the project unless the applicant has submitted a completed application for annexation and city fails to take action on such application within six months;
- c. If the affected city is not willing or able to commence annexation proceedings, approval by the County of the project would be conditioned on conformance with County adopted city development standards, County adopted city general plans and zoning and any County adopted city long-range infrastructure plan adopted.
- d. The County may, at part of this policy, require a consent to future annexation be recorded concurrent with approval of the project special use permit for development within the County [New Policy].

PF-4.25 Sphere of Influence Criteria

In addition to the County current policies on annexations and city growth lines, the County may work with one or more cities to propose criteria to the Tulare County Local Agency Formation Commission (LAFCo) for use in the adoption of city Sphere of Influence (SOI) lines consistent with the concept that the SOI is a twenty year city growth boundary including the city's "communities of interest" as defined by LAFCo, and that an affected city should seek approval of amendment by LAFCo of its current SOI lines to reflect such criteria. Communities of interest not included within the SOI may be considered and included in a fifty year growth boundary. If such a criteria is adopted, the County, as a city SOI is brought into compliance with such criteria, may consider amendment of its general plan to make the CACUDB identified in the County general plan, to the extent appropriate, consistent or conterminous with the LAFCo adopted SOI *[New Policy]*.

PF-4.26 City 50 Year Growth Boundaries

In addition to the County current policies on city boundary lines, the County may work with one or more of the cities to propose that LAFCo consider the adoption of a fifty year growth boundary for each city and to propose criteria to LAFCo for adoption of that boundary. If LAFCo adopts fifty year growth boundaries consistent with such criteria, the County may consider amendments to its general plan to make the County adopted CACUAB, to the extent appropriate, consistent or conterminous with the city's LAFCo adopted fifty year growth boundary *[New Policy]*.

PF-4.27 Impacts of Development within the County on City Facilities

The County may work with a city to consider the adoption, imposition and collection for payment to the city pursuant to agreement Development Impact Fees within the CACUDB, as may be proposed by the city from time to time to offset the impacts of development in the County on city facilities *[New Policy]*.

Text continues on Page 2-67.

County Adopted City Urban Area Boundary

County Adopted City Urban Development Boundary

City Limits

75% of New Growth

SOI

County UDBs, HDBs, & Corridors

25% of New Growth

CACUABs:

1. Compatible long-range infrastructure (for example, transportation and utility systems and networks) as shown on city plans
2. Coordinate to review land use & zoning
3. No GP or Zoning Amendment unless it meets RVLP Checklist
4. RVLP applies to PSP, PSV, PPM/TMs
5. PSPs if no other economically viable use of property

CACUDBs:

1. No GPAs*
2. No Rezoning*
3. RVLP Checklist
4. Collection of City & County Impact Fees
5. Coordinate to review land use & zoning
6. Adopt city development standards
7. Should be continuous with SOI
8. RVLP applies to PSP, PSV, PPM/TMs

Overlap-County UDBs, HDBs & Corridors:

1. GPA allowed for establishment of new, change, or amendment of Community UDBs, HDB, Corridor Area Plans
2. Coordination for Boundary Expansions
3. Allow Land Use & Zoning

SOI:

1. Refer PSPs to cities for annexations, with set time limits (3/6 months)
2. Coordinate to propose SOI criteria to LAFCo
3. Coordinate to propose 50 year boundary criteria to LAFCo

*Exemptions to CACUDBs:

1. State and Federal Regs.
2. Correct inconsistencies in land use
3. PSPs if no other economically viable use of property
4. Reuse of Ag. Support facilities
5. GPA for rezone to Ag. designation
6. Comprehensive Zoning or GP Update
7. Comprehensive restructuring text amendments
8. Alternative GP land use designations or zoning classifications

Staff Response
 Council of Cities UDB-UAB Proposal Letter
 Dated January 28, 2010

#	City Proposal	General Plan Update Policies	Staff Recommendations
In a County Adopted City UAB			
1.	Development can occur on non-agricultural lands as determined by the RVL.P.	Policy PF- 4.19 Application of a Checklist to control Development in a County Adopted City UAB.	In Agreement as per Policy PF- 4.19 Application of a Checklist to control Development in a County Adopted City UAB.
2.	Development can occur on land currently zoned for non-agricultural use.	Policy PF-4.17 Cooperation with Individual Cities.	In Agreement as per Policy PF- 4.17 Cooperation with Individual Cities. Allows for managed development.
3.	Ag. Processing facilities can be expanded or re-occupied subject to special use permit and city consultation.	Policy LU -2.5 Ag. Support Facilities, PF-4.23 Reuse of Abandoned Improvements in a County Adopted City UAB.	In agreement with re-use and expansion except that it is too narrow being limited only to ag. re-use.
4.	New Development to utilize city standards, financing mechanisms, and irrevocable consent to annex.	Policy PF- 4.10 City Design Standards. PF-4.12 Compatible Project Design.	The proposal conflicts with the General Plan Update. The County may ensure proposed development with future sewer or in water systems and circulation networks. City standards applicable only in UDBs.
5.	No Regionally Significant Projects	None	In agreement, these policies have been removed.
6.	Corridor plans ok, but with city consultation in UABs but not within UDBs.	Policy C-1.2 Urban Corridor Plans.	In agreement for UABs as per Policy C-1.2 Urban Corridor Plans, but do not support proposal in UDBs as it contradicts Policy PF- 4.18 e to allow a corridor overlapping a UDB. The County is aware of only three locations for possible corridors.
7.	County to tighten up exceptions in ag.zones.	Policy PF-4.19 Future Land Use Entitlements in a County Adopted City UAB.	In Agreement to work with cities to review land use and zoning to address inappropriate land uses and small parcelization concerns.
In a County Adopted City UDB			
1.	No County GP Amendments or Rezoning to non-agricultural uses ("No new entitlements").	Policy PF-4.18 Future Land Use Entitlements in a County Adopted City UDB.	Do not support proposal unless cities agree to exceptions as provided in Policy PF-4.18 a-i.
2.	County to Tighten-up exceptions in Ag. Zones.	Policy PF-4.18 Future Land Use Entitlements in a County Adopted City UDB.	In Agreement to work with cities to review land use and zoning to address inappropriate land uses and small parcelization concerns.
3.	No Corridor Plans.	Policy PF-4.18 Future Land Use	Do not support proposal as it contradicts Policy PF-4.18 e to allow

City Proposal	General Plan Update Policies	Staff Recommendations
	Entitlements in a County Adopted City UDB.	a corridor overlapping a UDB. The County is aware of only three locations for possible corridors.
4.	None	In agreement, these policies have been removed.
5. No Regionally Significant Projects. New Development can occur on lands currently zoned for non-ag. use, subject to city standards, financing mechanisms, and irrevocable consent to annex.	Policy PF- 4.10 City Design Standards. PF-4.24 Annexations to a City within the County Adopted City UDB.	In agreement.
6. Existing Unincorporated Community UDBs that encroach into City UDBs are exempt.	Policy PF-4.18 Future Land Use Entitlements in a County Adopted City UDB a.	In agreement using Goshen as an example.
7. Re-Occupation of existing ag. processing facilities subject to special use permit and City consultation (No Expansion).	Policy LU -2.5 Ag. Support Facilities, PF-4.22 Reuse of Abandoned Improvements in a County Adopted City UDB.	The term "No expansion" needs to be defined. The proposal contradicts Policy LU -2.5 Ag. Support Facilities, PF-4.22 Reuse of Abandoned Improvements in a County Adopted City UDB encouraging broader land use types.
8. Delete RVL application in a County Adopted City UDB.	Policy PF- 4.20 Application of a Checklist to control Development in a County Adopted City UDB.	Consider retaining PF- 4.20 Application of a Checklist to control Development in a County Adopted City UDB as an option to "no new entitlements".

Comparison of Regional Blueprint Principles/Concepts/Goals with Tulare County 2030 General Plan Policies

Blueprint Principles/Concepts/Goals	Existing 2030 General Plan Policies that Address these Principles/Concepts/Goals																			
Range of Housing Opportunities & Choices Walkable Neighborhoods	PF-5.1	PF-5.2	LU-1.1	LU-2.4	LU-3.3	LU-3.4	LU-3.7	HE-1.11	HE-1.12	HE-1.13	HE-1.14	HE-1.16	HE-1.21	HE-1.22						
	HE-1.31	HE-1.32	HE-1.33	HE-1.34	HE-1.41	HE-1.42	HE-1.51	HE-1.52	HE-1.53	HE-1.54	HE-1.55	HE-3.15	HE-3.23							
	PF-2.1	PF-5.2	LU-1.1	LU-4.1	LU-6.1	LU-7.3	LU-7.4	LU-7.7	LU-7.11	LU-7.12	LU-7.13	ED-6.1	ED-6.3	ED-6.4						
	ED-6.6	ED-6.7	SL-3.1	SL-4.3	AQ-2.2	HS-9.2	TC-4.4													
	PF-1.9	PF-2.3	PF-2.5	PF-4.1	PF-4.2	PF-4.4	PF-4.8	PF-4.13	PF-4.16	PF-4.18	PF-4.19	PF-4.20	PF-4.21	PF-4.22						
	PF-4.23	PF-4.24	PF-4.25	PF-4.26	PF-4.27	PF-5.2	PF-6.1	PF-6.2	PF-6.3	PF-6.5	PF-6.6	PF-6.7	AG-1.2	LU-6.4						
	ED-1.2	ED-1.4	ED-1.5	ED-1.6	ED-5.14	ERM-1.9	ERM-1.10	ERM-4.3	ERM-4.4	ERM-4.5	ERM-5.4	ERM-5.5	ERM-5.11	ERM-5.14						
	ERM-5.16	ERM-5.18	ERM-5.19	ERM-6.7	ERM-6.8	AQ-1.1	AQ-1.2	AQ-2.1	HS-7.1	HS-7.2	WR-2.2	WR-3.2	WR-3.12							
	WR-3.13	TC-1.3	TC-1.12	TC-4.5	PFS-1.16	PFS-8.1	PFS-8.2	FGMP-1.4	M-1.4	M-1.19	M-1.22	M-1.23	M-1.24							
	PF-1.1	PF-1.2	PF-1.3	PF-2.1	PF-2.8	PF-3.1	PF-4.1	PF-5.1	PF-5.2	PF-6.4	LU-1.1	LU-1.9	LU-3.4	LU-3.6						
LU-4.2	LU-4.5	LU-4.6	LU-5.2	LU-5.3	LU-5.4	LU-5.6	LU-6.1	LU-6.2	LU-7.2	LU-7.3	LU-7.4	LU-7.6	LU-7.7							
LU-7.8	LU-7.9	LU-7.10	LU-7.11	LU-7.12	LU-7.13	LU-7.14	ED-6.1	ED-6.3	ED-6.4	ED-6.6	ED-6.7	SL-1.2	SL-1.3							
SL-2.1	SL-2.2	SL-2.3	SL-2.4	SL-2.5	SL-2.6	SL-3.1	SL-3.4	SL-4.1	SL-4.2	SL-4.3	ERM-2.8	ERM-3.2	ERM-4.2							
ERM-5.1	ERM-5.2	HS-9.2	PFS-6.3	FGMP-1.5	FGMP-8.16	FGMP-8.17	M-1.1	M-1.17	M-1.27	M-1.28										
PF-2.6	PF-2.8	PF-3.6	PF-5.1	PF-5.2	LU-1.1	LU-2.3	LU-2.4	LU-3.4	LU-4.1	LU-4.2	LU-4.5	LU-4.6	LU-5.4							
LU-5.6	LU-6.1	LU-7.2	LU-7.3	LU-7.4	LU-7.5	LU-7.7	LU-7.9	LU-7.10	LU-7.11	LU-7.12	LU-7.13	LU-7.14	ED-6.1							
ED-6.3	ED-6.4	ED-6.6	ED-6.7	SL-1.1	SL-1.2	SL-1.3	SL-2.1	SL-2.2	SL-2.3	SL-2.5	SL-2.6	SL-3.1	SL-3.4							
SL-4.1	SL-4.2	SL-4.3	ERM-4.2	ERM-5.1	ERM-5.2	HS-9.1	HS-9.2	FGMP-8.16	FGMP-8.17	FGMP-8.18	M-1.1	M-1.27	M-1.28							
PF-1.4	PF-2.6	PF-4.1	PF-4.5	LU-1.6	LU-2.2	M-1.25														
PF-2.6	PF-3.4	PF-5.1	PF-5.2	LU-1.1	LU-1.2	LU-4.1	LU-6.1	ED-6.1	ED-6.3	ED-6.4	ED-6.7	SL-3.2	SL-4.3							
AQ-2.2	AQ-3.1	AQ-3.2	AQ-3.6	TC-4.4	M-1.10															
PF-1.2	PF-2.1	PF-3.1	PF-4.1	PF-4.6	PF-4.11	PF-5.2	AG-1.1	AG-1.3	AG-1.6	AG-1.9	AG-1.10	AG-1.11	AG-1.12							
LU-1.1	LU-1.8	LU-2.1	LU-2.2	LU-2.3	LU-2.4	LU-2.6	LU-3.4	LU-3.5	LU-6.1	LU-7.2	LU-7.9	SL-1.1	SL-1.2							
SL-1.3	SL-2.1	SL-2.2	SL-2.3	SL-2.4	SL-2.5	SL-4.2	SL-4.3	ERM-1.8	ERM-2.7	ERM-3.1	ERM-5.1	ERM-5.2	ERM-5.5							
ERM-5.7	ERM-5.15	TC-1.2	RVLP-1.1	RVLP-1.2	RVLP-1.3	RVLP-1.4	FGMP-1.2	FGMP-1.5	FGMP-1.11	FGMP-3.1	FGMP-5.1	FGMP-6.1	FGMP-6.2							
FGMP-6.3	FGMP-6.4	FGMP-6.5	FGMP-8.16	FGMP-8.17	FGMP-8.18	FGMP-8.19	M-1.1	M-1.6	M-1.9	M-1.11	M-1.13	M-1.16	M-1.20							

Comparison of Regional Blueprint Principles/Concepts/Goals with Tulare County 2030 General Plan Policies

Print Principles/Concepts/Goals		Existing 2030 General Plan Policies that Address these Principles/Concepts/Goals																
Preserve Critical Environmental Areas	PF-1.2	PF-4.1	PF-5.2	AG-1.1	AG-1.12	LU-1.1	LU-1.8	LU-2.6	LU-3.4	LU-7.2	LU-7.9	SL-1.3						
	SL-2.1	ERM-1.1	ERM-1.3	ERM-1.4	ERM-1.5	ERM-1.6	ERM-1.7	ERM-1.8	ERM-1.12	ERM-1.13	ERM-1.14	ERM-2.7						
	ERM-3.1	FGMP-4.1	FGMP-8.1	FGMP-8.5	FGMP-8.12	FGMP-8.14	M-1.1	M-1.6	M-1.11	M-1.13	M-1.20	M-1.29						
	PF-5.2	LU-7.3	LU-7.4	LU-7.7	ED-2.13	ED-2.14	ED-3.5	ED-5.9	ED-6.5	SL-3.1	SL-4.3	AQ-2.2						
	AQ-2.3	AQ-2.5	AQ-3.3	AQ-3.6	HS-9.2	TC-1.6	TC-1.7	TC-1.18	TC-2.1	TC-2.2	TC-2.3	TC-2.4						
Quality of Transportation Choices	TC-2.5	TC-3.1	TC-3.3	TC-3.4	TC-3.7	TC-4.1	TC-4.2	TC-4.3	TC-4.4	TC-4.6	TC-4.7	TC-5.1						
	TC-5.2	TC-5.4	TC-5.5	TC-5.7	TC-5.8	TC-5.9												
	PF-1.2	PF-2.1	PF-3.1	PF-4.6	LU-1.1	LU-1.8	LU-2.6	LU-7.11	LU-7.12	LU-7.13	ED-6.1	ED-6.3						
	ED-6.4	ED-6.6	ED-6.7	ERM-5.15	AQ-2.2	AQ-3.1	AQ-3.2	PFS-1.1	PFS-1.15	PFS-8.5	FGMP-2.1	M-1.7						
	PF-5.1	PF-5.2	LU-1.1	LU-3.4	LU-4.1	LU-4.2	LU-7.11	LU-7.12	LU-7.13	ED-6.1	ED-6.3	ED-6.4						
Compact Building Design	ED-6.6	ED-6.7	SL-4.3	ERM-5.1	ERM-5.15	AQ-2.2	AQ-3.1	HS-6.4	HS-9.2	TC-4.4	PFS-8.5	FGMP-1.6						
	FGMP-3.1	FGMP-6.5	FGMP-8.16	FGMP-8.17	M-1.1	M-1.27												
	PF-4.22	PF-4.23	AG-1.13	AG-2.1	AG-2.2	AG-2.5	AG-2.6	AG-2.7	AG-2.9	AG-2.10	LU-2.5	LU-4.3						
	LU-4.4	LU-5.1	LU-5.2	ED-1.1	ED-1.2	ED-1.4	ED-1.5	ED-1.6	ED-1.7	ED-1.8	ED-2.1	ED-2.2						
	ED-2.3	ED-2.4	ED-2.5	ED-2.6	ED-2.8	ED-2.9	ED-2.10	ED-2.11	ED-2.12	ED-2.14	ED-3.1	ED-3.2						
Enhance Economic Vitality of Region	ED-3.3	ED-3.4	ED-3.5	ED-3.7	ED-3.10	ED-4.1	ED-4.2	ED-4.3	ED-4.4	ED-4.6	ED-4.7	ED-5.1						
	ED-5.2	ED-5.3	ED-5.4	ED-5.5	ED-5.6	ED-5.7	ED-5.8	ED-5.10	ED-5.11	ED-5.13	ED-6.2	ED-6.3						
	ED-6.4	ED-6.6	ED-6.7	ERM-1.11	ERM-2.1	ERM-2.2	ERM-2.3	ERM-2.4	ERM-2.5	ERM-2.6	ERM-2.10	C-1.6						
	PF-1.2	PF-2.1	PF-3.1	PF-4.1	PF-5.2	AG-1.1	AG-1.12	AG-1.15	AG-1.17	AG-2.11	LU-2.4	LU-2.6						
	LU-3.1	LU-3.2	LU-3.4	LU-3.5	LU-4.2	LU-7.11	LU-7.12	LU-7.13	LU-7.15	LU-7.16	ERM-1.8	ERM-1.14						
Encourage Environmentally Sound Resource Management	ERM-2.1	ERM-2.2	ERM-2.3	ERM-2.4	ERM-2.5	ERM-2.6	ERM-2.7	ERM-2.8	ERM-2.9	ERM-2.10	ERM-2.12	ERM-3.1						
	ERM-3.4	ERM-3.5	ERM-4.1	ERM-4.2	ERM-4.3	ERM-4.4	ERM-4.5	ERM-4.6	ERM-5.1	ERM-5.5	ERM-5.9	ERM-5.17						
	ERM-5.20	ERM-6.1	ERM-6.2	ERM-6.3	ERM-6.4	ERM-6.5	ERM-6.6	ERM-6.7	ERM-7.1	ERM-7.2	ERM-7.3	ERM-5.15						
	AQ-4.1	HS-5.2	HS-5.11	HS-6.8	WR-1.2	WR-1.3	WR-1.4	WR-1.8	WR-2.1	WR-2.6	AQ-1.4	AQ-3.5						
	WR-3.4	WR-3.5	WR-3.6	WR-3.7	WR-3.9	WR-3.10	PFS-2.1	PFS-1.7	FGMP-1.10	FGMP-8.5	WR-3.1	WR-3.3						
M-1.11	M-1.12	M-1.13	M-1.18	M-1.29						FGMP-8.16	FGMP-9.1							

**Projects within the City of Visalia's Urban Development Boundary and Urban Area
Boundary**

January 1, 2004 thru April 1, 2010

Summary:

UDB's
6 PSP's

UAB's
2GPA's-2PZ's
2 TM
12 PSP's

Project List

UDB PSP 04-002, Amendment, Substation
UDB/Island PSP 04-095 Liquor License
UDB PSP 05-096, Church
UDB/Island PSP 06-021, Increase density in ag zone.
UDB PSP 07-009, Public utility, water
UDB PSP 08-017, Large day care

UAB PSP 04-029, Contractors Storage Yard
UAB PSP 04-045, Contractors Storage Yard
UAB/Tract 92 PSP 04-111 Amendment, Church
UAB PSP 05-091, Above ground fuel tank
UAB PSP 06-104, second unit
UAB PSP 07-042, 2nd Unit
UAB PSP 08-012, Cell tower
UAB PSP 08-028, Nursery
UAB PSP 08-106, 3rd residence
UAB PSP 08-109, Recycling
UAB PSP 09-009 2nd unit in R-A
UAB PSP 09-024 PSP Amendment, truck washout.
UAB GPA 05-004, Northeast Specific Plan Suspension
UAB GPA 06-005, Rancho Sierra
UAB PZ 08-010 AE-40 to AE-20
E. Visalia UDB, PZ 08-011, C-2 to C-3
UAB Tm 759, 50 acres into 25 lots
UAB Tm 774, Rancho Sierra

**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 7, 2010

Agenda Item Number (Assigned by City Clerk): 3

Agenda Item Wording: Continued review of select FY 2010-11 & 2011-12 Capital Improvement budgets and future Capital Improvement Program (CIP) requests. Review of Fleet & Vehicle Replacement Funds.

Deadline for Action: June 21, 2010

Submitting Department: Administration/Finance Division

Contact Name and Phone Number:

Melody Murch, 713-4379 Eric Frost, 713-4474
Renee Nagel 713-4375

Department Recommendation:

That the City Council accepts this final presentation of the City's Capital Improvement Project (CIP) report and provide direction as appropriate. The Council is scheduled to act upon the CIP budget later in June.

Discussion:

This is Council's opportunity to review the final portion of the proposed FY 2010-16 Capital Improvement Program (CIP). The final draft of all tentatively approved capital funds will be used to prepare the Capital Improvement Program document to be adopted with the City's Operating Budget in June 2010.

The CIP budget includes all projects and equipment purchases costing \$10,000 or more. When possible, Capital Projects are separated from the operating budget, by the use of separate capital funds. This allows a clearer view of capital activities and prevents operating budgets from being artificially inflated by those same capital activities. The operating portions of the CIP funds remaining for review will be brought to Council along with the full operating budget later in June.

The Capital Improvement Program presents the two fiscal years 2010/11 and 2011/12 for adoption and appropriation. *Four additional years are shown for planning purposes.* This allows Council to plan future projects and consider the near term impacts of those decisions. However, only the first two years are proposed for appropriation and deserve greater scrutiny. Amounts included in the final four years will not be appropriated.

For action by:

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

For placement on which agenda:

Work Session
 Closed Session

Regular Session:

Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 30 min.

Review:

Dept. Head _____
(Initials & date required)

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

City Mgr _____
(Initials Required)

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

It is recommended that Council reviews and either tentatively approves or directs changes to the attached proposed Capital Improvement Program (CIP) budgets for the selected funds. No formal action is required at this time. Staff will return with funds that need to be amended or will make changes to the Capital Improvement Program as Council directs. A final Capital Improvement Program document will be prepared, after the review process is completed, to be adopted with the City's Operating Budget in June 2010.

Staff response to Council questions from May 17th session:

Can any portion of the Convention Center's request to replace the chairs and tables in the executive boardrooms (\$45,000) be delayed?

At Council's direction, this purchase will be split between the 2 budget years, placing \$22,500 in the 2010-11 year and \$22,500 in the 2011-12 year. If this meets with Council approval, this change will be made in the CIP document which will be brought back to Council for final adoption along with the operating budget later in June.

Tonight's CIP Funds for discussion:

Table 1: Proposed Funding

Fund Name (Page #)	Fund #	Proposed 2010-11	Proposed 2011-12
Fleet Maintenance, (Page 7)	5011	\$ -0-	\$ -0-
Vehicle & Equipment Replacement, (Pages 8-12)	5012	314,449	498,021
Police Vehicle Replacement Measure T (Page 13)	5013	-0-	-0-
Total Projects		\$314,449	\$498,021

City of Visalia Vehicle Policy: The City of Visalia maintains an administrative vehicle policy which provides guidance for the use, purchase and replacement of all vehicles operated for City business. The vehicle policy determines the anticipated useful life of City vehicles and as a result, has a direct effect on planning and projections for vehicle purchases. With the participation of Fleet, Risk, Human Resources and Finance and review by the City's Department Heads, this administrative policy has been updated as part of the bi-annual budget process.

As a result of cost cutting measures over the past couple of years, the purchase of replacement vehicles has been postponed whenever feasible. Staff has found that in practice, the mileage of city vehicles can be extended up to an additional 15,000 miles which is the equivalent of one year's average mileage without experiencing any detrimental effects on the performance of the vehicles. The two main reasons for this appear to be the Police vehicle take-home program and the excellent support provided by the Fleet Maintenance division. City of Visalia police officers assigned Personal Patrol Vehicles (PPV's) which they take home at the end of their shift have taken more care with the use and maintenance of their vehicles than they might otherwise if they were using a "pool" vehicle that changed from shift to shift. The Fleet Maintenance division has also done an outstanding job with the maintenance of the entire City fleet, allowing the City to gain more useful life from its vehicles.

The two main factors to be considered when evaluating a vehicle for replacement are the vehicles age and accumulated mileage. While the anticipated useful mileage for city vehicles has been increased in this update to the Vehicle Policy, the anticipated years of service have remained the same. This allows for evaluation of the vehicles as they age to determine on a per

vehicle basis whether a replacement is needed. The one exception to this is the classification of K-9 patrol vehicle. Patrol vehicles carrying our K-9 officers must run their engines and air conditioners constantly when in service and their full use is not reflected by either age or mileage. The expected life of K-9 patrol vehicles has been shortened by one year due to staff's past experience with the need to replace these vehicles "early". The updated Vehicle Policy was approved by the City Manager on June 3, 2010 and a full copy is provided for your information as Attachment B.

Fleet Maintenance, Fund 5011 (Page 7): City Departments reimburse this internal services fund for the operation and repair costs associated with the organization's vehicles and equipment. This fund has 2 proposed projects, none of which are included in the 2-year portion of the budget.

Vehicle and Equipment Replacement, Fund 5012 (Pages 8-12): This fund is supported by General Fund Departments which pay for replacement of the current operational fleet with an annual use charge. This fund is currently responsible for the replacement of all General Fund City vehicles and equipment. In order for a vehicle or piece of equipment to be replaced, it should be fully depreciated and be evaluated and approved by the Fleet Maintenance Division, following the City of Visalia Vehicle Policy. Also, before any vehicle is replaced with a new car/truck, staff determines if there is an alternative fuel vehicle available for the vehicles assigned use. There are 18 vehicles and pieces of equipment proposed for replacement during 2010-11 and 2011-12. These include 17 police department vehicles (13 marked, 2 unmarked, 1 light duty truck and 1 K-9 patrol vehicle). Also included is the addition of one vehicle to the Fleet for a new Fire Inspector position. Inclusion of this vehicle in the budget is contingent upon the approval by Council of this new position a portion of which would be offset by additional revenues.

Police Vehicle Replacement Measure T Fund, 5013 (Page 13): This fund is supported by Measure T which pays for replacement of the current Measure T operational fleet with an annual use charge. This fund is maintained to ensure no Measure T funding is used to supplement General Fund police vehicles. This fund has 5 vehicles proposed for replacement, none of which are included in the 2-year portion of the budget. As this fund is relatively new and the anticipated useful life of a marked police patrol vehicle is 9 years this fund is building up a balance to provide for a larger number of vehicle replacements which will begin in 2016-17.

Changes Requested to tentatively approved funds: Since the review and tentative approval of the Gas Tax (1111) and the Measure R Local (1131) funds, the following items have come to the attention of City staff. Staff is requesting tentative approval for the inclusion of the following projects in the CIP document which will be brought back to Council for final adoption along with the operating budget later in June.

Gas Tax vehicle replacements (1111), \$100,000: As a result of vehicle evaluations that have occurred since the review of the Gas Tax fund (1111), staff is requesting to add the replacement of two dump trucks to the Gas Tax proposed capital budget. Each of the two vehicles being replaced will be over 18 years old at the time of their replacement. These dump trucks will be used by the Streets division to perform street maintenance activities. The trucks being replaced will be assigned to a lighter duty use by another City department. If so directed, staff will add the following items to the Gas Tax proposed capital budget.

- **2010-2011, \$50,000: 1-ton Truck** with dump bed, tool box & arrow board to replace vehicle #314952, 1992 dump truck with projected mileage of 65,000 at replacement.

- **2013-2014, \$50,000: 1-ton Truck** with dump bed, tool box & arrow board to replace vehicle #314953, 1993 dump truck with projected mileage of 87,000 at replacement.

Fund balance is available in the Gas Tax fund to provide for the purchase of these two vehicles. Only the dump truck purchase proposed for 2010-11 will be included in the 2-year portion of the budget for actual appropriation. The truck remaining for purchase in 2013-14 will be included for planning purposes only.

Measure R Local (1131), \$10,000: The City of Visalia was recently awarded a \$318,910 2010/11 Safe Routes to School grant to close the gaps in the sidewalk on the north side of Tulare Avenue and create a continuous sidewalk for children walking to Pinkham School from neighborhoods to the west. This grant does not require any matching funds from the City. However, staff time will need to be spent on this project before the City is granted authority to use the grant funds and receive reimbursement. Staff is requesting \$10,000 from the Measure R local fund (1131) to cover this cost. If so directed, staff will add the following item to the Measure R proposed capital Budget.

- **2010-11, \$10,000: Safe Routes to School-Tulare Ave. Santa Fe to Pinkham:** This project will close the gaps in the sidewalk on the north side of Tulare Avenue and create a continuous sidewalk for children walking to Pinkham School from neighborhoods to the west. The project is broken up over a length of approximately one mile. (Multi-funded: Project total of \$329k from \$319k SR2S grant (1611) and \$10k Measure R local (1131).

This small expenditure is eligible for Measure R Local funding and will not materially affect the Measure R Local funds ability to fund the projects existing in the fund.

Summary:

The City's CIP details a six-year plan for the expenditure of funds and the completion of projects (see pages 7-13). Information for the years 2012/13 through 2015/16 is provided for informational and planning purposes and will be revised, updated, and adopted in two year increments.

The attached spreadsheets summarize each fund and also provide a detailed list of the proposed projects. The fund title and number are followed by a brief explanation of the revenue source and general purpose of the fund. Each fund summary shows the beginning cash, operating revenue, operating expenditures, proposed CIP expenditures, and ending cash balance for each of the six years. The next section contains a detailed listing of the proposed CIP projects and a map reference for the projects (pages 7-13). As the vehicle funds do not have any map references included, no maps are provided in tonight's Council item.

Presentation to Council:

Staff has prepared a Power Point presentation to review the Capital Programs of the various funds to be reviewed by Council tonight. CIP Project Managers will be available to address Council's questions on proposed projects. In order to assist Council in reviewing the proposed CIP projects, staff would recommend the following:

- Staff will present an overview of projects to be discussed.

- Each page will then be individually reviewed and Council will direct which project should be further explained.
- As appropriate, Council will direct certain items to be brought back for further discussion.

Prior Council/Board Actions:

Funds reviewed and tentatively approved by Council at prior meetings (no official action taken):

<i>Fund #</i>	<i>Fund Title</i>	<i>Fund Manager</i>	<i>Review Date</i>
4011	Airport	Mario Cifuentez	04/12/10
4311	Wastewater Treatment Plant	Jim Ross	04/12/10
4411	Solid Waste	Earl Nielsen	04/12/10
4511	Transit	Monty Cox	04/12/10
1221	Storm Sewer Construction	Doug Damko	05/03/10
1222	Storm Sewer Deficiency	Adam Ennis	05/03/10
4812	Storm Sewer Maintenance	Adam Ennis	05/03/10
1231	Wastewater Trunk line	Adam Ennis	05/03/10
1251	Waterways	Paul Shepard	05/03/10
1132	Measure R – Bike and Trail	Paul Shepard	05/03/10
1211	Parks & Recreation Facilities	Don Stone	05/03/10
1111	Gas Tax	Andrew Benelli	05/03/10
1241	Transportation Impact	Chris Young	05/03/10
1611	Transportation	Adam Ennis	05/03/10
1613	Traffic Congestion Relief	Adam Ennis	05/03/10
1131	Measure R Local	Adam Ennis	05/03/10
1133	Measure R Regional	Adam Ennis	05/03/10
0012	Motor Vehicle In-Lieu	Adam Ennis	05/03/10
0011	General Fund	Eric Frost	05/17/10
0014	General Fund Designation -Sports Park	Vince Elizondo	05/17/10
4131	Convention Center	Wally Roeben	05/17/10
5111	Information Services	Mike Allen	05/17/10
1051	Police Impact Fund	Chuck Hindenburg	05/17/10
1061	Fire Impact Fund	Danny Wristen	05/17/10
1121	Police Sales Tax	Chuck Hindenburg	05/17/10
1122	Fire Sales Tax	Danny Wristen	05/17/10

Committee/Commission Review and Actions:

Alternatives:

Attachments:

Recommended Motion (and Alternative Motions if expected

Environmental Assessment Status

CEQA Review:

NEPA Review:

Copies of this report have been provided to:

**Fleet Maintenance - 5011
2010/11 - 2015/16 Capital Improvement Program**

<i>Executive Summary</i>						
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash for Capital Replacement	930,182	930,182	930,182	886,582	886,582	886,582
Capital Expenditures	-	-	(43,600)	-	-	(45,300)
Total Resources Available for Projects	930,182	930,182	886,582	886,582	886,582	841,282

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
2	Replace Fleet Services Dodge Ram 2500 3/4 Ton Service Truck <u>Budget Year / Unit# / Year / Miles</u> 2012-13 / 252242 / 2001 / -0-	Mike Morgantini	9223 task new	--	N/A			43,600			
2	Replace Fleet Services Chevy 1,500 PU with 2,500 HD for Service Truck <u>Budget Year / Unit# / Year / Miles</u> 2013-14 / 252939 / 2001 / -0-	Mike Morgantini	9223 task new	--	N/A						45,300
Total Expenses						-	-	43,600	-	-	45,300

Note:

The Budget Impact column represents the impact the project will have on the operating budget annually in order to maintain the project when completed or purchased.

- No Annual Maintenance Costs (or no increase over existing cost *** Annual Maintenance costs is over \$25,000. These projects will be explained in detail in the project description.
- * Annual Maintenance cost is \$5,000 or less **** Project will result in savings as described in project description
- ** Annual Maintenance costs is \$5,000 to \$25,000

**Vehicle and Equipment Replacement - 5012
2010/11 - 2015/16 Capital Improvement Program**

This fund is supported by General Fund Departments, on a cost reimbursement basis, for replacement of the current operational fleet as each vehicle reaches its full useful life.

Executive Summary

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash for Capital Replacement	2,801,000	3,050,551	3,189,530	2,496,250	3,189,530	2,924,663
Reimbursement for Vehicle Replacements	605,700	617,800	648,700	681,100	715,200	751,000
Interest Earnings	59,800	122,700	96,000	81,100	112,500	101,000
Operating Expenditures (allocations)	(101,500)	(103,500)	(105,600)	(107,700)	(109,900)	(112,100)
Capital Expenditures	(314,449)	(498,021)	(1,332,380)	(1,042,298)	(982,667)	(1,038,949)
Total Resources Available for Projects	3,050,551	3,189,530	2,496,250	2,108,452	2,924,663	2,625,614

Note:

All vehicles proposed to be replaced will be evaluated by the Fleet Maintenance division and approved by the City Manager prior to the purchase of a new vehicle.

If a vehicle should be replaced, the replacement vehicle will be evaluated for an alternative fuel vehicle, Fleet Maintenance will recommend transferring the vehicle being replaced to other City dep

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
	Parks and Recreation Vehicle/Equipment Replacements:										
1	New Heavy Duty 3/4 ton pickup - Growth <u>Budget Year</u> 2012-13	Jeff Fultz	9223 task new	--	N/A			31,587			
2	Replace Parks 1/2 ton 4X4 pickup with sprayer unit with alternative fuel vehicle <u>Budget Year / Unit# / Year / Miles</u> 2013-14 / 312239 / 1999 / 110,093	Jeff Fultz	9223 task new	--	N/A				73,064		
3	Parks Tree Spade- replace 312757# tow behind tree spade	Jeff Fultz	9223 task new	--	N/A				45,993		
4	Replace Parks mid-size P/U with utility bed with Full-size 1/2 ton w/utility bed alternative fuel vehicle <u>Budget Year / Unit# / Year / Miles</u> 2013-14 / 312259 / 2001 / 126,076 2013-14 / 312949 / 2002 / 125,081 2014-15 / 312256 / 1997 / 115,831 2015-16 / 312258 / 1999 / 113,960 2015-16 / 312260 / 2003 / 113,621	Jeff Fultz	9223 task new	--	N/A				67,052	33,526	74,812

Vehicle and Equipment Replacement - 5012 (continued)
2010/11 - 2015/16 Capital Improvement Program

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
5	Replace Parks 4x4 1 ton & Spray Equipment <u>Budget Year / Unit# / Year / Miles</u> 2015-16 / 312944 / 2001 / 119,271	Jeff Fultz	9223 task new	--	N/A						110,606
	Police Vehicle Replacements:										
6	Replace marked patrol vehicles - (6) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2010-11 / 212343 / 1999 / 122,870 2010-11 / 212425 / 2001 / 125,001 2010-11 / 212428 / 2001 / 123,868 2010-11 / 212432 / 2001 / 115,333 2010-11 / 212433 / 2001 / 127,344 2010-11 / 212436 / 2001 / 111,585	Randy George	9223 task new	--	N/A	280,566					
7	Replace marked patrol vehicles - (7) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2011/12 / 212427 / 2001 / 114,515 2011/12 / 212437 / 2001 / 104,400 2011/12 / 212430 / 2001 / 106,636 2011/12 / 212357 / 2003 / 109,808 2011/12 / 212426 / 2001 / 124,721 2011/12 / 212431 / 2001 / 133,447 2011/12 / 212434 / 2001 / 120,226	Randy George	9223 task new	--	N/A		336,721				
8	Replace PD light duty truck <u>Budget Year / Unit# / Year / Miles</u> 2011-12 / 215218 / 2001 / 111,855	Randy George	9223 task new	--	N/A		36,271				
9	Replace unmarked Police vehicles - (2) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2011-12 / 211111 / 2002 / 107,025 2011-12 / 215101 / 2002 / 129,827	Randy George	9223 task new	--	N/A		74,776				
10	Replace marked K-9 patrol vehicle <u>Budget Year / Unit# / Year / Miles</u> 2011-12 / 212358 / 2003 / 117,083	Randy George	9223 task new	--	N/A		50,253				
11	Replace Police Go-4 (Parking Scooter) <u>Budget Year / Unit# / Year / Miles</u> 2012-13 / 213319 / 2002 / 66,833	Randy George	9223 task new	--	N/A			41,330			

**Vehicle and Equipment Replacement - 5012 (continued)
2010/11 - 2015/16 Capital Improvement Program**

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
12	Replace marked patrol vehicles - (9) <u>Budget Year / Unit# / Year / Miles</u> 2012/13 / 212352 / 1999 / 98,084 2012/13 / 212449 / 2001 / 101,668 2012/13 / 212360 / 2003 / 116,878 2012/13 / 212359 / 2003 / 108,132 2012/13 / 212451 / 2004 / 109,950 2012/13 / 212452 / 2004 / 105,795 2012/13 / 212453 / 2004 / 110,612 2012/13 / 212454 / 2004 / 112,839 2012/13 / 212455 / 2004 / 110,928	Randy George	9223 task new	--	N/A			432,937			
13	Replace PD light duty truck <u>Budget Year / Unit# / Year / Miles</u> 2012-13 / 215221 / 2004 / 112,890	Randy George	9223 task new	--	N/A			39,676			
14	Replace unmarked Police vehicles - (5) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2012-13 / 211112 / 2003 / 137,396 2012-13 / 215102 / 2003 / 143,354 2012-13 / 215103 / 2003 / 148,306 2012-13 / 215105 / 2003 / 124,468 2013-14 / 215196 / 2000 / 115,704	Randy George	9223 task new	--	N/A			154,356	38,589		
15	Replace marked patrol vehicles (16) <u>Budget Year / Unit# / Year / Miles</u> 2013-14 / 212345 / 1999 / 103,089 2013-14 / 212354 / 2000 / 104,090 2013-14 / 212356 / 2000 / 100,379 2013-14 / 212361 / 2003 / 114,871 2013-14 / 212429 / 2001 / 108,266 2013-14 / 212450 / 2001 / 108,500 2013-14 / 212317 / 1996 / 104,322 2013-14 / 212346 / 1999 / 103,653 2013-14 / 212327 / 1998 / 103,261 2013-14 / 212332 / 1998 / 98,922 2013-14 / 212461 / 2005 / 112,753 2013-14 / 212462 / 2005 / 125,026 2013-14 / 212464 / 2005 / 123,713 2013-14 / 212465 / 2005 / 135,123 2013-14 / 212468 / 2005 / 131,550 2013-14 / 212472 / 2005 / 122,312	Randy George	9223 task new	--	N/A				817,600		

**Vehicle and Equipment Replacement - 5012 (continued)
2010/11 - 2015/16 Capital Improvement Program**

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
16	Replace DARE Van- with alternative fuel vehicle <u>Budget Year / Unit# / Year / Miles</u> 2014-15 / 215911 / 1998 / 91,801	Randy George	9223 task new	--	N/A					38,259	
17	Replace marked patrol vehicles - (3) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2014-15 / 212466 / 2005 / 107,389 2014-15 / 212470 / 2005 / 105,463 2014-15 / 212473 / 2005 / 114,589	Randy George	9223 task new	--	N/A					157,869	
18	Replace unmarked Police vehicles - (6) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2014-15 / 215914 / 2004 / 119,683 2014-15 / 215915 / 2005 / 129,436 2014-15 / 215916 / 2005 / 135,696 2014-15 / 215917 / 2005 / 126,074 2015-16 / 215919 / 2005 / 100,047 2015-16 / 215104 / 2003 / 119,473	Randy George	9223 task new	--	N/A					163,029	94,064
19	Replace marked patrol vehicles - (14) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2015-16 / 212476 / 2007 / 140,806 2015-16 / 212479 / 2007 / 104,266 2015-16 / 212480 / 2007 / 111,301 2015-16 / 212481 / 2007 / 131,089 2015-16 / 212482 / 2007 / 131,979 2015-16 / 212484 / 2007 / 116,308 2015-16 / 212485 / 2007 / 103,189 2015-16 / 212486 / 2007 / 116,558 2015-16 / 212487 / 2007 / 106,620 2015-16 / 212488 / 2007 / 148,060 2015-16 / 212489 / 2007 / 124,502 2015-16 / 212490 / 2007 / 140,320 2015-16 / 212491 / 2007 / 158,310 2015-16 / 212492 / 2007 / 160,149	Randy George	9223 task new	--	N/A						759,467
	Fire Vehicle Replacements:										
20	New Ford Escape Hybrid - Contingent upon approval of additional prevention staff (fire inspector). SUV to carry tools and equipment for investigation, weed abatement, property maintenance and other site plan and prevention duties. <u>Budget Year</u> 2010-11	Doyle Sewell	9223 task 73309	--	N/A	33,883					

**Vehicle and Equipment Replacement - 5012 (continued)
2010/11 - 2015/16 Capital Improvement Program**

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
21	Replace Pierce Fire Engine (2) <u>Budget Year / Unit# / Year / Miles</u> 2012-13 / 222428 / 1995 / 15,049 2014-15 / 222429 / 1995 / 16,499	Doyle Sewell	9223 task 73409	--	N/A			589,984		589,984	
22	Replace Chevy Tahoe- with emergency lighting package, mobile and portable radio with charger <u>Budget Year / Unit# / Year / Miles</u> 2012-13 / 222221 / 2001 / 101,516	Doyle Sewell	9223 task 73309	--	N/A			42,510			
Total Expenses						314,449	498,021	1,332,380	1,042,298	982,667	1,038,949

Note:

The Budget Impact column represents the impact the project will have on the operating budget annually in order to maintain the project when completed or purchased.

- No Annual Maintenance Costs (or no increase over existing cost *** Annual Maintenance costs is over \$25,000. These projects will be explained in detail in the project description.
- * Annual Maintenance cost is \$5,000 or less **** Project will result in savings as described in project description
- ** Annual Maintenance costs is \$5,000 to \$25,000

**Police Vehicle Replacement Measure T - 5013
2010/11 - 2015/16 Capital Improvement Program**

This fund is supported by General Fund Departments, on a cost reimbursement basis, for replacement of the current Measure T - Police operational fleet as each vehicle reaches its full useful life.

<i>Executive Summary</i>						
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash for Capital Replacement	247,700	368,900	504,500	451,486	504,500	664,700
Reimbursement for Vehicle Replacements	116,600	118,900	124,800	131,000	137,600	144,500
Interest Earnings	7,200	19,400	17,400	21,100	25,600	32,200
Operating Expenditures (allocations)	(2,600)	(2,700)	(2,800)	(2,900)	(3,000)	(3,100)
Corrections						
Capital Expenditures	-	-	(192,414)	(51,100)	-	-
Total Resources Available for Projects	368,900	504,500	451,486	549,586	664,700	838,300

Note:

All vehicles proposed to be replaced will be evaluated by the Fleet Maintenance division and approved by the City Manager prior to the purchase of a new vehicle. If a vehicle should be replaced, the replacement vehicle will be evaluated for an alternative fuel vehicle, Fleet Maintenance will recommend transferring the vehicle being replaced to other City de

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
	Public Works Vehicle/Equipment Replacements:										
1	Replace marked patrol vehicles - (4) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2012-13 / 212457 / 2004 / - 2012-13 / 212458 / 2004 / - 2012-13 / 212459 / 2004 / - 2012-13 / 212460 / 2004 / -							192,414			
2	Replace marked patrol vehicle - (1) Fully Equipped <u>Budget Year / Unit# / Year / Miles</u> 2012-13 / 212456 / 2004 / -								51,100		
	Total Expenses					-	-	192,414	51,100	-	-

Note:

The Budget Impact column represents the impact the project will have on the operating budget annually in order to maintain the project when completed or purchased.

- No Annual Maintenance Costs (or no increase over existing cost) *** Annual Maintenance costs is over \$25,000. These projects will be explained in detail in the project description.
- * Annual Maintenance cost is \$5,000 or less **** Project will result in savings as described in project description
- ** Annual Maintenance costs is \$5,000 to \$25,000

City of Visalia Vehicle Policy

Purpose

The purpose of this Policy is to establish rules and procedures for the purchase and use of vehicles by all City of Visalia employees.

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 - 3. Criteria for Permanent Around-The-Clock Assignment
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- Appendix A: Request for Authorization to Take City Vehicle Home
- Appendix B: Anticipated Useful Life of Vehicles and Equipment
- Appendix C: Vehicle Purchase Authorization Form
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- Appendix E: Monthly Business-Personal Travel Log

A. Policy Modification & Maintenance

This policy may be amended at the direction of the City Manager. Amendments shall become effective immediately upon approval of the amendment unless otherwise noted. This Policy is used as an internal control document. As such, it should be reviewed as needed, but no less than Bi-Annually as a part of the Budget Preparation process to include any changes or additions necessary. This policy, in its most current adopted form with all appropriate amendments and attachments, shall be included in the City of Visalia Personnel Policy Guidelines.

Situations will occur in which strict application of this policy may be either operationally or economically inefficient or inappropriate. The City Manager and Department Heads shall exercise discretion in taking exception to this policy, but shall have the ability to do so as they deem appropriate.

B. Scope of Policy

All vehicles, whether owned by the City of Visalia, a rental car agency or a City of Visalia employee, used for City business shall be subject to this policy.

C. General Provisions

The following provisions shall apply to use of any motor vehicle for City business:

- a. The City shall maintain safe, reliable and economical transportation as required for City employees to conduct City business.
- b. No City employee, under any circumstances will operate a City vehicle on a public roadway without being in possession of a valid California Driver's License of the proper class for the vehicle being operated as defined by the California Vehicle Code.
- c. It is the employee's responsibility to inform the City of any changes in the status of their California Driver's License or any restrictions placed upon that license by the California Department of Motor Vehicles.
- d. The driver of any private vehicle used for City business shall maintain minimum insurance on that vehicle as required by the State of California.
- e. City vehicles shall only be used for City-related business unless otherwise authorized by the City Manager or Department Head.
- f. Each City employee who is assigned a City vehicle is responsible for that vehicle being maintained in a clean condition and to ensure that routine maintenance and safety checks on that vehicle are conducted in a timely fashion.
- g. City owned and privately owned vehicles used for City business shall be operated in a manner consistent with all safety and legal requirements of the City of Visalia and the State of California.
- h. The driver of a motor vehicle used on City business should verify that the vehicle is in good operating condition before embarking on a trip.
- i. Costs of repairing damage to City vehicles resulting from willful misconduct or gross negligence by the employee having custody of the vehicle at the time of the damage may be recoverable from the employee at the option of the City.

- j. Damage sustained to a personal vehicle while being used for City business shall be the responsibility of the employee/owner.
- k. Any citation or arrests while operating a City vehicle or a personal vehicle on City business are the personal responsibility of the employee. The employee will not attend court appearances, traffic school or resulting DMV appointments on City time for such citations and arrests and must arrange such appearances by taking appropriate time off. Any judgment of acquittal or guilt sentence handed down by the court will be satisfied by the employee alone. All fines and court costs, to include subpoena of witnesses and/or attorney fees, if any, are also the sole cost of the employee, unless it is the direct result of negligence by the City in furnishing a vehicle designed for, but not properly equipped or negligently maintained for, use on a public roadway.
- l. Any City employee who receives a citation while operating a City vehicle or a personal vehicle while on City business shall report same incident immediately to their supervisor. The supervisor shall give written notification to the Department Head with a copy to the Risk Management Division.
- m. The operator of any vehicle used on City business shall ensure that seat belts are available for and used by all passengers in the vehicle.
- n. Employees shall not, under any circumstances, operate a City vehicle or a personal vehicle on City business when any physical or mental impairment causes the employee to be unable to drive safely.
- o. Department Heads will take the appropriate steps to have take-home vehicle privileges suspended from any employee that has been off work or on light duty for a period of time longer than two weeks.
- p. Employees and passengers shall not smoke cigars, cigarettes or use any other tobacco product while riding in or operating a City vehicle.
- q. Required regular use of private vehicles shall be included in job descriptions by the Personnel Division.

D. Assignment of City Vehicles

1. Request for Assignment of City Vehicle

New permanent vehicle assignments – assignment of a new vehicle made to individuals who have not previously been assigned a City vehicle – shall be made through the City’s annual Capital Improvement Program process for acquiring additional vehicles.

2. Criteria for Permanent Day Use Assignment

Criteria for permanent day use assignment of a City vehicle to an individual should include:

- a. Duties requiring frequent daily travel between crews, job sites and offices.
- b. Need for frequent use of special tools or equipment.
- c. Need for permanently assigned material.
- d. Vehicle use required for more than one-half of the employee’s daily work assignment.

- e. Job utilization for an average of 650 miles per month or more.

3. Criteria for Permanent Around-the-Clock Assignment

Criteria for permanent around-the-clock (take home) assignment of a City vehicle to an individual shall include:

- a. The employee must and consistently does, respond to after-hours emergencies one or more times per week, using a specially-equipped vehicle.
- b. The employee provides off-duty field supervision or attends off-duty business-related meetings on the City's behalf three or more times per week.
- c. The employee is required to begin work at a location other than the permanent work station more than 50% of the annual working days.
- d. Inadequate parking space at City facility.
- e. Police Officers assigned a Personalized Patrol Vehicle (PPV) or Personalized Unmarked Vehicle (PUV). (Please see Visalia Police Department Policy Manual – Policy 705.)
- f. Special circumstances determined by the Department Head which require an employee to be on call and respond after hours.

4. Geographic Boundary for Permanent Around-the-Clock Assignment

- a. Permanent around-the-clock assignments of City vehicles dated January 1, 1987 or thereafter are limited to City of Visalia employees who reside within the Visalia squared off, or fully justified, urban area boundary.
- b. Anyone with continuous permanent around-the-clock assignment of a City vehicle prior to January 1, 1987, who has lived in the same location outside of that boundary since that time, shall be exempt or grandfathered in until such time as they change residence.
- c. As of the effective date of this policy, the City confirms the following boundary lines for the maximum distance assigned vehicles can be driven home:

Northern boundary line - Ave 328

Southern boundary line – Ave 256

Eastern boundary line – Road 160

Western boundary line – Road 64

These boundaries were established by squaring off or fully justifying the existing outer boundaries of the City's urban boundary line. If the urban boundary lines are extended further outward in the future, as the city grows, this will automatically expand and reestablish the corresponding vehicle take home boundary lines as well.

Each Department Head has the authority to grant permission to allow city vehicles to be driven to an employee's residence outside the take-home vehicle boundary lines, but special written justification must be submitted to the City Manager to document these rare occasions.

5. Requesting Permission to Take Home City Vehicle

Fill out the City form entitled “Authorization to Take a City Vehicle Home,” and submit the completed form to the Fleet Manager. Add any comments to this form that are appropriate to be considered in this decision.

The completed form will be reviewed by Fleet Services and forwarded to the employee’s immediate supervisor after the comments and information added to the form are verified.

After the approval or disapproval of the supervisor, the form will be routed to Department Head, and the request will receive its final approval or disapproval.

There is no appeal to this process.

The completed form will then be filed in the Fleet Manager’s vehicle file and copies of the finalized form returned to the Department Head and the employee. Each time an employee’s assignment changes, a new authorization to take a city vehicle home form must be resubmitted for review through the above protocol.

(Exception: Police Officers assigned Personalized Patrol Vehicles (PPV’s) will follow the guidelines of that program as administered by the City of Visalia Police Department.)

6. Internal Revenue Service Requirements

The IRS requires that any employee who uses a City vehicle around the clock will pay taxes on the personal use of the take-home vehicle. The value of the personal use will be determined as follows.

- a. The employee shall maintain a log of personal use, including to and from work.
- b. The log will be completed and sent to payroll on a monthly basis.
- c. Annually, payroll will calculate the vehicle’s lease value and charge the personal usage percentage of the vehicle’s lease value plus a per mile gasoline charge to the employee as taxable income. This amount will be added to the employee’s W-2.

Some public safety vehicles are exempt from IRS regulations as a working condition fringe benefit. To qualify for this exemption, **all** of the following requirements must be met.

Marked Police Vehicles

1. The vehicle must be clearly marked with insignia or words which make it clear that it is a police vehicle. A marking on a license plate is not clear marking for this purpose.
2. The vehicle must be required to be used for commuting by a police officer who, when not on regular shift, is on call at all times.
3. Other than commuting, personal use of the vehicle outside the limit of the police officer’s arrest powers must be prohibited by the governmental unit.

Unmarked Police Vehicles

1. The driver of the vehicle must be a law enforcement officer in the full-time employment of the Visalia Police Department.
2. The officer must be authorized by law to carry firearms, execute search warrants, and to make arrests.
3. The officer must regularly carry firearms, except when it is not possible to do so because of the requirements of undercover work.
4. Take home usage (commuting) must be required due to the need to report directly from home to a stakeout or surveillance site, or to an emergency situation.
5. Any personal use of the vehicle (commuting) must be authorized by the City of Visalia Police Department.

Vehicles qualifying under this section as a working condition fringe benefit will follow the guidelines of the City of Visalia Police Department's Personalized Patrol Vehicles Policy (Please see Visalia Police Department Policy Manual – Policy 705.)

Personal use of Police Department vehicles which does not meet the requirements for a working condition fringe benefit will be added to the employees W-2 as required by the IRS and outlined above.

7. City Pool Vehicles

At the discretion of the City Manager and the Public Works Director, a small motor pool of City vehicles may be maintained by the Fleet Manager for temporary use. Use of pool vehicles shall be subject to the following provisions:

- a. A request for extended use of a pool car (five working days or longer) must be approved by the Fleet Manager.
- b. Use of a pool vehicle may be granted to an employee with Department Head approval, on a one-day basis, when the employee is on emergency call, must attend a business-related activity after regular working hours or begin work at a location other than the permanent work station.

8. Appropriate Usage of City Vehicles

Use of a City vehicle by any City employee shall be subject to the following:

City owned vehicle shall not be used to transport any passengers other than authorized City employees on official City business or persons directly related to the official City business being conducted (i.e. speakers, consultants, contractors, other conference attendees, etc.) with the following exceptions:

- a. Incidental transporting of children to and from child care or school while driving to and from the workplace;
- b. Transportation of person or persons in the event of an accident or other emergency;
- c. Incidental transporting of others in public safety vehicle while responding to an incident from off-duty status.

Exceptions to these usage criteria may be granted by the Department Head or City Manager as appropriate and required.

9. Reporting Requirements for Personal Use of City Vehicle

Any personal use of a City take-home vehicle shall be reported to payroll. For each such use, the operator shall document the date driven, destination from and to and total miles for the trip. This reporting shall satisfy the requirements of the IRS. Again, certain public safety vehicles may be exempt from this requirement. (Please see, D. Section 6. Internal Revenue Service Requirements.)

E. Use & Reimbursement of Personal Vehicles

1. Criteria for Use of Personal Vehicles

Authorization to use a personal vehicle for conducting City business may be granted when it is in the best interest of the City. Personal vehicle use may be recommended by the Fleet Manager with the concurrence by the Department Head, when fleet cost records indicate that the replacement or the continued usage of certain vehicles is not cost effective in comparison with established vehicle allowances or when usage of a vehicle is required to perform job assignments but such usage does not meet the criteria for assignment of a City vehicle. Personal vehicle use may be rescinded when usage of the personal vehicle for City business exceeds 650 miles per month for a one-year period. A City vehicle may then be provided with the concurrence of the Department Head. The fleet manager shall re-examine usage patterns when an incumbent leaves and develop a vehicle-assignment recommendation for the Department Head.

2. Usage of Personal Vehicles

- a. All City employees utilizing a personal vehicle for City business shall be familiar with and shall comply with the provisions listed under GENERAL PROVISIONS and with all other requirements of this policy.
- b. Employees utilizing a personal vehicle for City business shall maintain the vehicle in a clean and safe operating condition.
- c. Registration and insurance requirements for personal vehicles used for City business shall be the sole responsibility of the owner and operator. Any personal vehicle used by a City employee for City business shall have current vehicle registration.

3. City Radio Equipment in Personal Vehicles

Employees required to use a City radio shall have one furnished and installed at City expense. The Department Head shall have discretion for selection, installation and updating of the radio equipment. Documentation shall be sent to the Finance Division, the Fleet Manager and Personnel Division so as to provide for the return of the equipment to the City should the employee leave the City's employment.

4. Reimbursement for Use of a Personal Vehicle

Employees who must operate their personal vehicle while performing City business shall be reimbursed for such use at the current rate established by the Internal Revenue Services (IRS).

Department Heads not assigned a take-home vehicle are provided with a monthly vehicle allowance. This allowance is intended to cover the full cost of operating a personal vehicle for business purposes within a 75 mile radius of the City of Visalia. For business trips outside this 75 mile radius, the first and last 75 miles of the trip (150 miles total) will not be eligible for mileage reimbursement.

5. Reporting Requirements for Mileage Reimbursement

Employee receiving reimbursement for mileage driven on City business shall submit a Request for Check form and a completed Monthly Business-Personal Travel Log to the Finance Division with their payroll sheets so the reimbursement can be placed on their payroll check. No reimbursement shall be made without submittal of the log. The Monthly Travel Log shall include the date driven, destination from and to, reason for the trip and total miles driven for each trip.

An employee who pays for fuel with a City credit card while operating their personal vehicle on City business shall deduct that amount from their reimbursement request.

6. Internal Revenue Service Reporting Requirements

Any employee who receives a monthly vehicle allowance will have that amount added to their W-2 Form. The IRS will accept the Monthly Business Travel Log as adequate accounting. Employees may wish to keep additional cost receipts for fuel, oil, parts and maintenance should expenses exceed reimbursement and the amount of business mileage is adequate to amount to a legitimate business expense.

7. Incidental Expenses

Employees shall be reimbursed for parking, toll fees and similar incidental expenses incurred while traveling on City business. This shall be in addition to any mileage reimbursement or monthly vehicle allowances.

8. Exceptions Due to Compensation Agreements

The City Manager shall be provided transportation or a vehicle allowance as negotiated and approved in contractual agreement with the City Council.

F. Collision Reporting Requirements

1. Reporting Requirements

The driver involved in an accident with a City vehicle and/or their supervisor must do the following:

Immediately:

- a. The police should be called to the scene and a police report taken when damage to another vehicle, damage to the City vehicle, damage to private or City property, or injury is involved. (If the traffic collision involving a City vehicle occurs in a jurisdiction outside the City of Visalia which

refuses to take an accident report, a counter traffic collision report should be obtained at the earliest convenience at the Visalia Police Department.)

- b. The driver must notify their supervisor.
- c. Contact Risk Management immediately if any of the following conditions exist:
 - a. Injuries
 - b. Significant damage to vehicles or property
 - c. Vehicle is disabled

By the end of the following working day:

- a. Complete a City of Visalia Accident/Incident Report Form and forward to Risk Management. (Form available from Human Resources/Risk.)
- b. Have damage to vehicle assessed by Fleet Management.

2. Vehicle Collision Review

When an Accident/Incident Report Form is received, Risk Management will provide copies of the Accident/Incident Report and the Police Report to Human Resources for follow-up with the Department Head. Department Heads are responsible for administration of the collision review process within their departments. Departments with no internal review process due to minimal fleet use shall contact Risk Management/Human Resources for assistance with the collision review process.

Human Resources will assist the departments to assure that any discipline or remedial action taken as a result of the accident is consistent with City policy. It will be the department's responsibility to process any personnel action. Copies of disciplinary documents shall be forwarded to Personnel for filing in the employee's personnel file.

G. Use of Rental Vehicles

Whenever possible and absent compelling reasons for doing otherwise, employees shall use the most economical and appropriate mode of transportation available when conducting City business. Employees needing to travel out of town for City business shall evaluate the total cost of alternative modes of transportation and choose the one that is the most efficient, effective and appropriate. All other things being equal, the alternative with the lowest cost shall be chosen.

H. Vehicle Purchase and Replacement

1. Evaluation of Existing Vehicles

- a. At a minimum, each department should review their assigned fleet vehicles during the preparation of the City of Visalia bi-annual budget.
- b. Operational Cost Analysis reports are available from Fleet which provide the following information to assist in evaluation of vehicles:
 1. Vehicle Year
 2. Vehicle City Identification Number
 3. Vehicle Mileage at last service
 4. Vehicle Mileage driven in the previous 12 months
 5. Fuel Cost Year-to-Date and Life-to-Date
 6. Preventative Maintenance Costs
 7. Repair Costs

- c. Vehicles will be scheduled for replacement by the department when they are projected to reach the end of their useful lives (age and mileage), as defined in the Vehicle Replacement Guidelines summarized in Appendix B.
 - d. Departments will submit Capital Budget requests according to the replacement schedule for their assigned vehicles.
 - e. Replacement of vehicles which have not reached the age and mileage estimated for their useful lives in the Vehicle Replacement Guidelines must have significant justification. Factors to be considered for early replacement of a vehicle are:
 - 1. Age significantly in excess of guidelines
 - 2. Mileage significantly in excess of guidelines
 - 3. Damage to vehicle/vehicle condition
 - 4. Repair costs (not including preventative maintenance) in excess of annual depreciation
 - 5. Compliance Issues (for example: smog requirements)
 - 6. Full vehicle use not reflected by mileage (for example: K-9 patrol units)
 - f. Vehicles Requested for replacement before the end of their useful lives (as estimated in the Vehicle Replacement Guidelines) are required to have a completed Fleet Services Evaluation attached to the request.
2. Purchase of Budgeted Vehicles (replacements and new Fleet additions)
- a. Department Responsibilities
 - 1. If replacement, schedule the vehicle being replaced for an evaluation by Fleet. If an evaluation was completed for budget submission, use that one.
 - 2. Contact Purchasing if assistance is needed to prepare vehicle specifications (specs). This information is also available on internet car purchasing sites. Please do not contact dealerships.
 - 3. Complete Department Portion of Vehicle Replacement/Purchase Authorization Form, attach vehicle specs and send to Fleet for review. Once received back from Fleet, attach to Purchase Requisition.
 - 4. If purchase is a replacement, and specifications do not materially match the vehicle being replaced, prepare a memo to the City Manager justifying and requesting approval for the change. A copy of the memo, approved by the City Manager, must be submitted to Purchasing with the purchase requisition.
 - 5. Complete Purchase Requisition Form and submit to Purchasing.
 - b. Fleet Services Responsibilities
 - 1. Complete Vehicle evaluation and forward to requesting department.
 - 2. Complete Fleet portion of Vehicle Replacement/Purchase Authorization Form, including review of Specs and forward to requesting department.
 - 3. Take delivery of new vehicle and assign to department.
 - c. Purchasing Responsibilities
 - 1. Assist with preparation of vehicle specs, if needed.
 - 2. Obtain price comparison information in accordance with the requirements of the COV purchasing policy.
 - 3. Issue purchase order and place order with vendor.
3. Vehicles not authorized in the budget

- a. Department must prepare a memo to the City Manager justifying and requesting approval for the purchase. A copy of the memo, approved by the City Manager, must be submitted to Purchasing with the purchase requisition.
- b. Complete all items listed for purchase of budgeted vehicles.

4. Air Quality Considerations

Recognizing the region's air quality challenges and the City Council's pledge to reduce greenhouse emissions, the lowest-emission vehicles shall be purchased and used to the extent possible, while taking into account the vehicle's life-cycle costs and the ability to support City operations and services.

- a. The California Air Resources Board www.DriveClean.ca.gov and the U.S. EPA www.epa.gov/greenvehicles websites shall be utilized to evaluate the lowest-emission vehicles.
- b. Vehicles of a smaller class size should be selected whenever possible to achieve increased mileage and lower emissions while meeting City's operational requirements.
- c. Sport utility vehicles (SUVs) will not be purchased unless justified by the work assignment, verified by the Department Head and when the purchase of an SUV represents a change in vehicle class, approval by the City Manager.

5. Alternative Fuel/Hybrid Vehicles

Alternative fuel/hybrid vehicles should be integrated in the City Fleet when possible. The intangible factors of cleaner air and the City's leadership role in bringing about acceptance to clean air technology in this region must be considered when choosing the appropriate vehicle for purchase. Fleet services will review each vehicle purchase and make recommendations on the availability of an alternative fuel or hybrid vehicle that satisfies the requirements of each vehicles assignment. This recommendation will be included in the Fleet portion of the Purchase Authorization Form.

- a. Factors to be considered in Fleets recommendation are:
 1. The City's stated goal of purchasing alternative fuel/hybrid vehicles whenever they meet the needs of the vehicle's anticipated assignment.
 2. The assigned use/specs of the vehicle being purchased.
 3. Availability of alternative fuel source. No vehicle shall be considered to meet the description of an alternative fuel/hybrid vehicle when the alternative fuel source is not reasonable expected to be used, or available. The City will not pay a premium for alternative fuel/hybrid vehicles which cannot or will not be used as such.
 4. Premiums charged for alternative fuel/hybrid vehicles which greatly exceed the projected fuel savings and/or intangible benefits over the useful life of the vehicle.
 5. Additional maintenance/parts costs estimated over the useful life of the vehicle if alternative fuel/hybrid vehicle is purchased.
 6. In-house ability to maintain and repair the appropriate alternative fuel/hybrid vehicle. This analysis shall include evaluation of vehicle warranties which would preclude the need for in-house maintenance such as the California Partial Zero Emissions Vehicle (PZEV) 15 year /

150k mile emissions-related parts and 10 year energy storage device warrantee.

6. Disposition of Vehicles that have been Replaced

In some situations, a vehicle turned-in by one department may have a useful application in another department, thus, postponing the purchase of a newer vehicle in the other department for one or two years. When vehicles are turned in for a replacement, Fleet will determine whether or not the vehicle should be recycled for use in a lighter duty assignment. This decision will be made by the Fleet Supervisor and may be appealed by the Department Head to the City Manager.

Recycled vehicles are not eligible for replacement other than by another recycled vehicle. If no alternative use is found for the turned-in vehicle, the City-Wide Fleet Manager will sell the vehicle at auction within 60 days. Appropriate uses for recycled vehicles are:

- a. To replace a previously assigned recycled vehicle.
- b. For use to determine the average mileage needs of a particular vehicle assignment. Job utilization for an average of 650 miles per month or more may justify the need for a permanent vehicle assignment. (See D. Assignment of City Vehicles).
- c. Light Duty assignments requiring less than 650 miles of use per month.

Request for Authorization to Take City Vehicle Home		
Department	Division	Date
Vehicle #	Year/Make	Model
Employee Name		Home Address
Check the boxes that apply:		
<input type="checkbox"/> I currently reside within the fully justified Visalia urban boundaries and request permission to take my assigned vehicle home.		
<input type="checkbox"/> I currently live outside the fully justified Visalia urban boundaries and request permission to take my assigned vehicle home. Distance outside boundaries (_____) miles.		
Justification to take vehicle home:		
<input type="checkbox"/> On-Call		
<input type="checkbox"/> On-Call Supervisor		
<input type="checkbox"/> Other (Explain):		
(If more Space is needed, use back of form)		
<p>I have read and understand the City's Take Home Vehicle Policy and hereby request that I be allowed to take my assigned vehicle home. I further understand that if I move from my current residence or change assignments within the City, that I must complete another Authorization to Take City Vehicle Home form. I further understand the City may choose, at any time, to rescind my use of the take home vehicle pursuant to City Policy.</p>		
Employee Signature		Supervisor Signature
Date		Date
Department Action:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Comments:		
Department Head Signature		Date

Anticipated Useful Life of Vehicles & Equipment

Description	Years	Miles
Sedans (non-safety)	10	125,000
Sedans (Safety-unmarked)	10	115,000
Sedans (Safety marked)	9	110,000
Sedans (marked K-9 units)	8	95,000
Pickups 1 ton and under	10	125,000
Vans 1 ton and under	10	125,000
Motorcycle (Police)	8	45,000
Special Use Vehicles/Equipment:		
Fire Apparatus	15	*
Trucks over 15,000 GVW	12	*
Solid Waste Trucks	10	*
Heavy Equipment	12-15	*

* Special Use Vehicles and Equipment which have been fully depreciated should be evaluated annually by the Fleet department to determine whether or not replacement is necessary.

Vehicle Purchase Authorization Form			
To Be Completed by Requesting Department	1: Vehicle To Be Purchased:		
	Make:	Model:	Fund/Division:
	CIP Account #:	Budget Amount:	Requested By: (Print Name & Initial)
	New Vehicle Specifications: (if more space needed - attach pages)		
To Be Completed by Fleet	2: Vehicle To Be Replaced: (To be completed for replacement vehicles only)		
	Vehicle #:	Make:	Model:
	Year:	Mileage:	Annual Miles Driven:
	Annual Preventative Maintenance Costs:	Repair Costs Life-To-Date:	
	3: Fleet Recommendations:		
1. Does current vehicle meet Policy guidelines for replacement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
2. Does vehicle evaluation justify replacement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
3. Replacing with same class of vehicle? (If no CM approval required)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
4. Requested Vehicle Specifications Approved?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
5. Alternative Fuel/Hybrid/Low-emission vehicle available for these Specifications?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Recommended Alternative Fuel/Hybrid/Low Emission Vehicle: Make / Model / Recommended Fuel System			
6. Is a recycled vehicle available for this use?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Recommended Recycled Vehicle: Make / Model / Vehicle Number			
7. Is a used Enterprise department vehicle available for this use?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Recommended Enterprise Vehicle: Make / Model / Vehicle Number			
4: Approvals:			
Fleet Manager Approval:		Date:	
Department Head Approval:		Date:	
City Manager Approval:		Date:	

Vehicle Evaluation Form	
Vehicle Description:	
Vehicle #:	Make:
Year:	Mileage:
Model:	
Completed By: (Print Name & Initial)	
Rating Guide: (1-10) 1=Excellent to 10=Unservicable; (1-5) 1=Excellent to 5= Unservicable	
Rating 1-10	Component: (Comments)
	Engine:
	Transmission/Differential:
	Power Take Off:
	Chassis Outside: (including tires, brakes & windows)
Rating 1-5	Component: (Comments)
	Suspension System:
	Cooling System:
	Steering System:
	Vehicle Interior:
	Total Scoring Key:
	Heavy Equipment: 0-15=Excellent, 16-30=Good, 31-45=Fair, 46-60=Poor
-	Light Equipment: 0-11=Excellent, 12-25=Good, 26-37=Fair, 38-50=Poor

**CITY OF VISALIA
MONTHLY BUSINESS-PERSONAL
TRAVEL LOG**

FOR FINANCE DEPT USE ONLY	
VENDOR #	_____
BATCH #	_____
CLAIM #	_____

DATE: _____ FOR MONTH OF _____ 2010

NAME: _____
DEPARTMENT: _____

CHECK REQUEST	
DATE:	_____
ACCT NO:	_____
NET AMT:	_____
REQ BY:	_____
	Signature
APRVD BY:	_____
	Authorized Signature

INSTRUCTIONS:

- DESTINATION: Name of place – NOT address
- REASON: Brief explanation of trip
- ODOMETER: Begin/End – round off to nearest mile
- TOTAL MILES: Total miles for each entry
- NET AMOUNT: Grand total miles x allowed reimbursement
(Example: 50 x \$.50 = \$25.00)

ORIGINAL TO FINANCE COPY TO DEPARTMENT

DATE	DESTINATION & REASON	BEGINNING ODOMETER	ENDING ODOMETER	TOTAL MILES
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-

GRAND TOTAL MILES: _____ -
MULTIPLY BY MILEAGE REIMBURSEMENT RATE _____ **0.50**
NET AMOUNT \$ _____ -

**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 7, 2010

Agenda Item Number (Assigned by City Clerk): 6

Agenda Item Wording: Public Hearing to discuss proposed funding changes, amendment, and assessment increases of balloted Landscape & Lighting Maintenance Assessment Districts. (Upon completion of the public hearing, staff will open and tabulate ballots. The results will be reported later in the Regular Session.)

Deadline for Action: None

Submitting Departments: Finance

Contact Name and Phone Number:

Eric Frost - 713-4474, Jason Montgomery - 713-4425

DEPARTMENT RECOMMENDATION:

That City Council:

- 1) Conduct a Public Hearing to receive ballots and public testimony on the proposed funding changes, amendment, and assessment increases for the maintenance of balloted Landscape and Lighting Maintenance Assessment Districts (Districts).
- 2) Allow staff to open and tabulate ballots.
- 3) Certify the results of the balloted Districts.
- 4) Direct staff to implement the proposed changes for the Districts that approved the changes.
- 5) Authorize the placing of the increased benefit assessment amounts on the 2010-11 Property Tax Roll.

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.

PUBLIC HEARING:

The Public Hearing is being held for the purpose of taking public input on the proposed funding changes, amendments, and assessment increases to the balloted Districts and, if passed by the voters, to approve and implement those changes.

BALLOTING PROCESS:

Proposition 218 requires that increases to a property based assessment not previously agreed upon be subject to a ballot vote of all the affected property owners. Assessment votes are conducted on the amount of the assessment. Since these assessments are all of equal value, authorization is determined by a simple majority of the returned ballots.

On April 23, 2010, the City mailed 176 ballot letters to four Districts with deficit cash balances requesting property owners to approve an increase in the benefit assessment and for the inclusion of

a standard benefit assessment increase allowance for the Districts. These Districts consisted of Island Oaks (118 ballots), Spanish Oaks (12 ballots), Rivers Edge (43 ballots), and Westgate Estates (3 ballots) (see Attachment 2 for Location Maps). The approval of the standard benefit assessment increase allowance will allow the City to make limited changes in the assessment fee to balance the District's finances without having to ballot the Districts in the future.

Upon completion of the public hearing, staff will open and tabulate the ballots, of which the results will be reported at the end of tonight's Regular Session. If the recommended inclusion of the standard benefit assessment increase allowance passes, the approved District(s) assessments for the 2010-11 County Tax Roll will be increased by up to 10%. If it fails, staff will evaluate the District(s) to determine the best course of action including cost containment strategies and future balloting.

BALLOTTED DISTRICTS WITH DEFICIT BALANCES:

This discussion refers to the balloted Districts with deficit cash balances and the Landscape and Lighting Maintenance Assessment Districts that benefit these real property owners. These Districts maintain common area improvements (e.g. turf, shrubs, trees, walls, and irrigation equipment) around participating subdivisions, with each parcel sharing equally in the annual cost.

- **ASSESSMENT ADJUSTMENT PROGRAM (Program)**

The four Districts balloted were being asked to approve an increase in their benefit assessment and to include the Assessment Adjustment Program to their District. The Assessment Adjustment Program includes:

1. Incorporating a Standard Annual Allowance for Increase: An annual automatic allowance for assessment increases (Allowance) was incorporated into the formation of ALL District's starting in December 1994. The Allowance is included in the Engineers Report which initially estimates the District's costs for maintenance and utilities, and is the basis for the first year's benefit assessment. The Allowance allows for cumulative increases of 5% per year with a maximum increase of 10% in single year. This annual increase can be done without balloting of the property owners for additional approval. To increase an assessment on a District formed before Dec. 1994 currently requires balloting.
2. Implementing Cost Containment Measures: Staff will implement various measures to reduce expenses to those Districts that are projected to remain in a cash deficit position.
 - reduce the amount of work currently being contracted for (e.g. reduce watering, mowing frequency, and other services being provided).
 - replace or remove improvements that requires a higher level of maintenance and replace them with improvements that require little or no maintenance (groundcover).
3. Operating and Capital Reserve: Staff recommends maintaining a cash balance for each district that would equal **1.5 year's worth of operating expenses** (not to include sinking fund items such as street maintenance), but no less than **\$10,000** for capital repairs or replacements.

- **FINANCIAL CONDITION**

Table 1, Estimated Ending Cash Balances, shows the financial condition of the four Districts that were balloted. These figures are estimates for the fiscal year ending June 30, 2010.

Table 1
Estimated Ending Cash Balances
For Period July 1, 2009 - June 30, 2010

L&L District #	Description	# of Parcels	Beginning Cash Balance	2010 Revenues	Estimated 2010 Expenses	Estimated Ending Cash Balance
8808	Island Oaks	118	(3,362)	14,493	(21,523)	(10,392)
8907	Spanish Oaks	12	(2,447)	548	(903)	(2,802)
9102	Rivers Edge	43	(1,373)	3,440	(4,993)	(2,926)
9204	Westgate Estates	3	(2,227)	975	(1,351)	(2,603)

As the table represents, these Districts continue to fall deeper into a negative cash position. The inclusion of the standard benefit assessment increase allowance will help staff to fiscally manage these Districts more effectively. If a District approves the increase in the benefit assessment, this increase will be implemented on the 2010-11 County Tax Roll. Staff will also implement the before mentioned cost containment measures until the District has improved financially.

ACCOUNTING AND ADDITIONAL INFORMATION

Landscape & Lighting Districts were created to facilitate the collection of benefit assessments, paying for the maintenance of the Districts real property improvements on behalf of property owners. Since the first District was created in 1987, each District's individual revenues and expenses have been separately accounted for. This accounting reflects the annual financial condition over the years and the resulting trends in assessment revenues and expenses, which is the basis for either increasing, decreasing, or for maintaining the amount of the District's annual benefit assessment. Assessment amounts are initially based on an Engineers Report estimating the maintenance costs at the time of formation

Generally, all contiguous phases of a residential development are in an individual District. The maintenance of the District's is provided by private landscapers that bid to contract for maintaining given areas. The City's Urban Forestry Supervisor manages these contracts, ensuring contractor performance and also handles complaints from District property owners.

All property owners within a District share equally in the maintenance costs, based on the number of parcels in the District. Overhead costs, not specific to an individual District, are allocated to all of the Districts parcels equally. District property owners have an assessment placed on their Tulare County Property Taxes each year by the City in August. The process begins in April and usually in June a Public Hearing is held for any increases or other changes that require public input. Districts fall under provisions of the Landscape & Lighting Act of 1972, and since the assessments are a property related fee, they are subject to Proposition 218 requirements.

Prior Council/Board Actions: On June 1, 2009, City Council certified the results of the balloted Landscape and Lighting Maintenance Assessment Districts that were tabulated and reported at the June 1, 2009 Council meeting and authorized the placing of the increased benefit assessment amounts on the 2009-10 property tax roll and the incorporation of the standard benefit assessment increase allowance to the Districts that approved the changes.

Committee/Commission Review and Actions:

Alternatives:

Attachments:

Attachment 1 - Sample Ballot
Attachment 2 – Location Maps

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

- 1.) Move to open the Public Hearing to receive public input on the proposed funding changes, amendment, and assessment increases to the balloted Landscape & Lighting Maintenance Assessment Districts.
- 2.) Certify the results of the balloted Districts and if passed, move to approve the recommended funding changes, amendment, and assessment increases of the balloted Landscape & Lighting Maintenance Districts and place the increases on the 2010-11 Tulare County property tax roll.

Copies of this report have been provided to:

City of Visalia
707 W, Acequia
Visalia, CA 93291

April 23, 2010

John & Jane Doe
100 Anywhere Street
Visalia Ca 93277



Subject: To maintain common landscape and lighting in your neighborhood, the City is asking you to approve a Benefit Assessment Increase Allowance for the Island Oaks District.

Dear John & Jane Doe:

This letter includes a ballot. The City is asking you to consider a change in how common landscaping and lighting is funded in your neighborhood. You will be asked to either approve or disapprove the proposal.

The City maintains common landscape and lighting in your neighborhood, funded by a benefit assessment which appears annually on your property tax bill. The maintained landscaping and improvements visually enhance your neighborhood, add value to the surrounding properties and increase your quality of life.

To fiscally manage your district and maintain the landscape's appearance in your neighborhood, the City of Visalia is proposing to include a standard Benefit Assessment Increase Allowance for your District. The City is requesting you consider and return the enclosed ballot indicating your choice, either approving or disapproving a Benefit Assessment Increase Allowance. The approval of the allowance will allow the City to make small changes in the assessment fee to balance the district's finances.

Proposal: Provide a Benefit Assessment Increase Allowance which limits changes in benefit assessments to the lesser of: 1) cost; 2) a 5% per year cumulative increase (from the year the District was created); or, 3) 10 % of the current assessment, **WHICHEVER IS THE LEAST.**

Please consider the enclosed documents, which include a ballot form, an informational page about the Island Oaks District, a detailed overview of this process, and a return envelope.

If you have questions or concerns, please contact Jason Montgomery, Financial Analyst at 713-4425 or by email at jmontgomery@ci.visalia.ca.us Thank you for your consideration.

Attachment 1

City of Visalia City Clerk's Office
425 E. Oak Ave., Suite 301
Visalia, CA 93291

April 23, 2010

City of Visalia City Clerk's Office
425 E. Oak Ave., Suite 301
Visalia, CA 93291
Attn: Island Oaks, 88-08 District ballot

BALLOT INSTRUCTIONS

Completion and Return Instructions:

1. Fill out the ballot at the bottom of this page. Be sure to mark your choice, sign, and date the ballot **(the ballot will not be counted without your signature)**.
2. Fold this page so the addresses above are visible.
3. Insert this page into the provided return envelope so the Clerk's address is visible through the window of the envelope.
4. Place appropriate postage on the return envelope and mail it.
5. In order to be counted, the ballot must arrive at the above address (City Clerk's Office) on or before 5:00pm, June 7, 2010.
6. ALTERNATIVE DELIVERY: you may also hand deliver the ballot to the City Clerk's office at 425 E. Oak Ave., Suite 301 Visalia, CA., on or before 5pm on June 7, 2010. If delivered in person, the ballot **must** be in a sealed envelope, or it cannot be accepted.

If you have any question or concerns about the ballot process or Benefit Assessment Increase Allowance, please contact Jason Montgomery, Financial Analyst at (559) 713-4425 or by email at jmontgomery@ci.visalia.ca.us

BALLOT

Proposal: Provide a Benefit Assessment Increase Allowance which limits changes in benefit assessments to the lesser of: 1) cost; 2) a 5% per year cumulative increase (from the year the District was created); or, 3) 10 % of the current assessment, WHICHEVER IS THE LEAST.

John & Jane Doe, owning property located at 100 Anywhere Street in the Island Oaks Landscape & Lighting Assessment Maintenance District:

(Check one) APPROVES DISAPPROVES

(Property Owner Signature)

(Date)

DISTRICT ISLAND OAKS, 88-08 INFORMATION

The City is proposing an automatic Benefit Assessment Increase Allowance in order to keep up with maintenance costs for the common areas in your District, **work toward eliminating a current outstanding deficit cash balance of \$(3,362)** and to eventually create a small reserve to help offset any future unexpected maintenance costs. Keeping the landscaping and common areas maintained helps to keep neighborhoods looking good and helps to increase property values. Currently your district is comprised of 118 lots, with current year benefit assessments at \$14,492.76 and last year's expenses of (\$17,349) detailed as follows:

Annual Benefit Assessment Revenue	\$14,492.76
Fiscal Year 2008/09 actual expenses	
Contract Services (Landscape Contractors, etc.)	(\$9,632)
Electricity	(\$1,334)
Water / Sewer	(\$5,018)
Project Management Costs	(\$1,365)
Total Current Annual Expenses	(\$17,349)

Adding the annual maintenance costs and assessment revenue to the beginning negative cash balance of (\$506) for your District brings the current total outstanding costs to (\$3,362). If approved, the proposed Assessment Increase Allowance calculation would cap the maximum allowable increase in the annual assessment for your district to \$15,941.80 for this year (from the existing \$14,492.76 assessment). Consequently, your contribution for keeping the maintenance up in your District would be **an additional \$12.28 per year, or \$1.02 per month.** You would see this as an increase in the Property Benefit Assessment included on your County of Tulare real property tax bill.

On the previous page is a ballot which gives you, the property owner, certain options:

1. **Yes, I approve of the proposed Automatic Benefit Assessment Increase Allowance.** If a majority of the returned ballots select this option, it will allow the City to secure funding from your District for the increased costs of maintenance, and over a period of time will repay any outstanding deficit cash balance. It will also allow the City to provide a full maintenance effort to your district (versus a reduced maintenance effort due to a shortage of adequate funds).
2. **No, I do not approve of the proposed Automatic Benefit Assessment Increase Allowance.** If a majority of the returned ballots select this option, it will cause the City to re-evaluate the level of maintenance provided to your District, and likely will result in reduced maintenance, such as reduced watering and/or reduced frequency of mowing and trimming of the common areas.

Public Hearing

The Public Hearing for this proposal will be held on Monday, June 7, 2010, in the City Council Chambers at 707 W. Acequia, Visalia CA., and is scheduled at the beginning of the City Council Regular Session, at approximately 7:00pm. The ballots will be counted and the results delivered to Council at the end of the Regular Session of the City Council Meeting that same evening. At this meeting, affected citizens will have an opportunity to speak to Council, and may also change their ballot vote if desired.

Benefit Assessment Increase Allowance

Why is the Benefit Assessment Increase Allowance Needed?

Most of the older Districts do not generate enough revenue funding through their Benefit Assessments to pay the costs of the maintenance and upkeep of their improvement areas. Historically the City has only occasionally asked for small increases (never more than 10%) from these Districts, through a required ballot process. However, the ballot process is costly and not always successful, so if funds from Benefit Assessments are not enough to cover maintenance costs and an increase is not approved, the City of Visalia must make the difficult decisions to decrease the District's level of maintenance, in an effort to contain the maintenance costs to the amount of Benefit Assessments received. Decreased maintenance efforts have included reduced watering and mowing frequency, replacing labor intensive plantings with a ground cover that requires very little or no maintenance, and other less visually enhancing options. Some districts are already experiencing some or all of these cost saving measures.

How will it Work?

With a Benefit Assessment Increase Allowance, each District is reviewed annually to determine if an increase to the Benefit Assessment is needed. If total costs (which include any beginning deficit balances) are greater than the annual assessment being received, a standardized calculation would be used to determine the allowable increase for that year. **If an increase is warranted it would be limited to either the amount of total costs, a 5% per year cumulative increase (from the year the District was created), or 10% of the current assessment, WHICHEVER IS THE LEAST. Only if total costs are greater than the Benefit Assessment revenue received, will the automatic benefit assessment increase allowance be used.** In no case would any increase be more than 10% of the current assessment in any given year. This is the same automatic allowance process that is already being used in districts created after 1994. If approved the automatic allowance will:

- Decrease the costs incurred by the Districts from repetitive balloting.
- Allow the City to better fiscally manage the individual districts, and to more closely match benefit assessment revenue to the actual costs incurred.
- Reduce the need for cost reduction measures, and improve neighborhood appearances throughout the City, particularly in the older Districts.

Do assessments ever decrease?

Yes they do. Decreases do not require a ballot vote, so are done automatically. The City's goal is to match District maintenance costs to the benefit assessment revenue as closely as possible, so Districts are evaluated for both increases and decreases.

Example of a Benefit Assessment Allowance Increase Calculation:

5% cumulative increase calculation = (base year assessment) x $1.05^{(N-1)}$ (Where N = number of years District has existed).

Example:

A District's base year Benefit Assessment was \$8,000. The 2nd year it was increased 5%, and no increase in the 3rd year. The existing assessment is therefore \$8,400. There are 90 properties in the District, so the existing assessment equals \$93.34 per property per year:

In year 4 after the District was initially created, the costs are \$9,600, and there is \$300 outstanding from the prior year to repair a brick wall, **so total costs are \$9,900.** The calculation to determine what the assessment increase can be is:

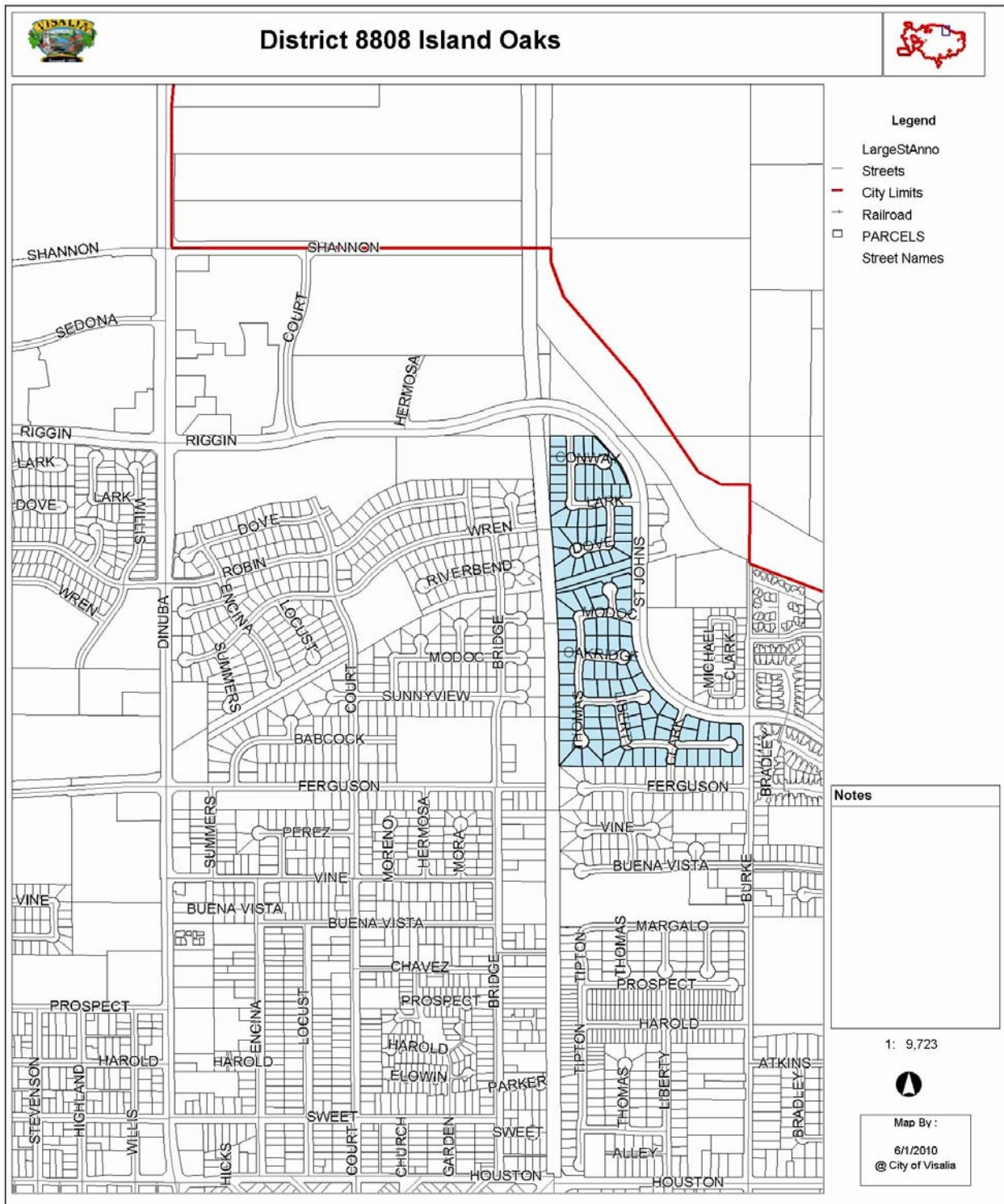
5% cumulative (using base year assessment)
 $\$8,000 \times 1.05^{(N-1)} = \$9,261.00$

Or

10% single year (using current Year assessment)
 $\$8,400 \times 1.1 = \$9,240.00$

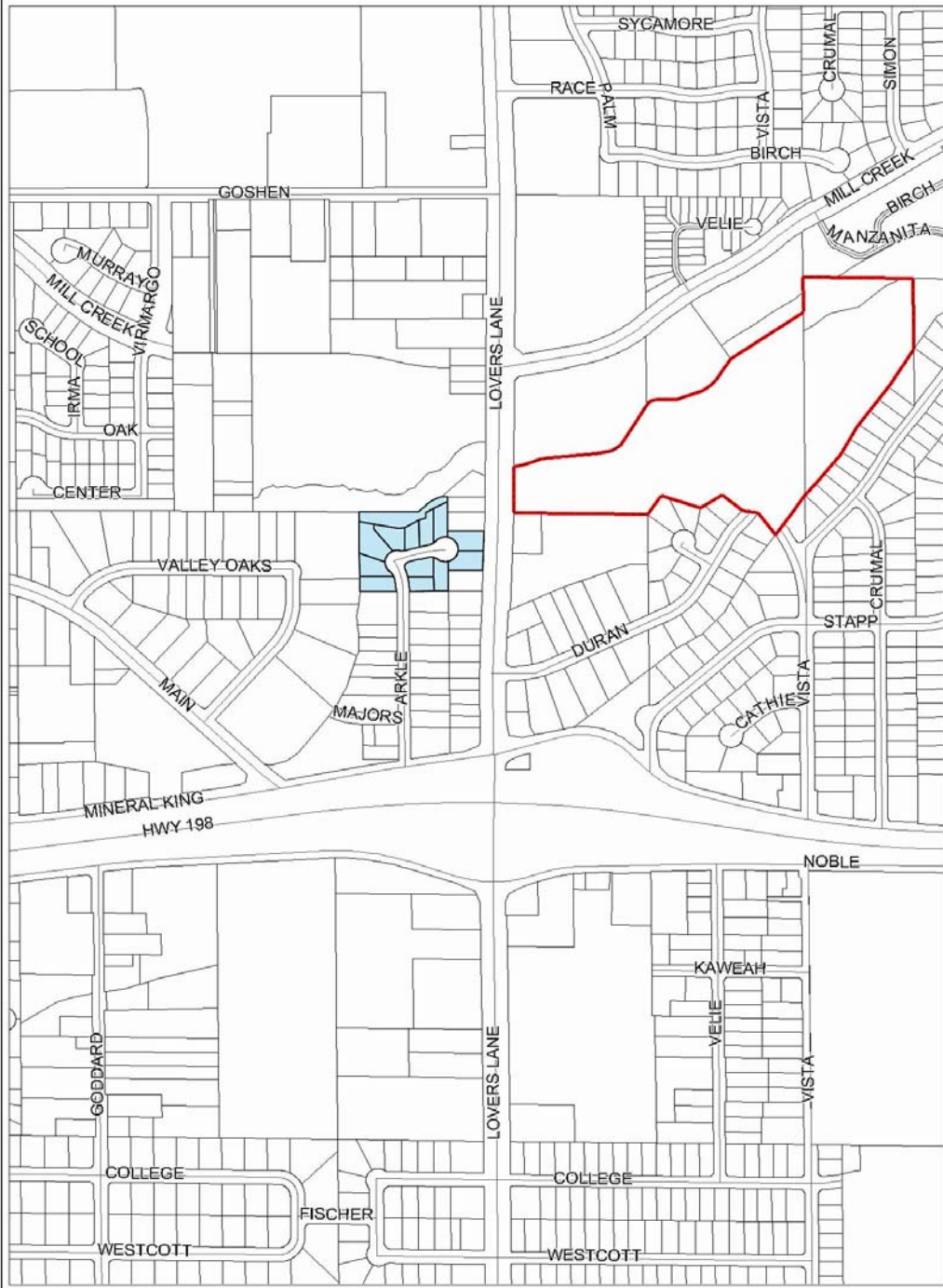
The **lesser** of the two maximum allowances is \$9,240.00 which is also less than the total costs, **so the total assessment increase would be limited to \$9,240 or \$102.67 per property (an increase of \$9.33 per year, or about \$0.78 a month for each property).** The \$660 of excess costs would be carried over to the next year. Had the total costs been less than \$9,240, the increase would have been limited to the actual amount of total costs.

Attachment 2
Location Maps





District 8907 Spanish Oaks



- Legend**
- LargeStAnno
 - Streets
 - City Limits
 - Railroad
 - PARCELS
 - Street Names

Notes

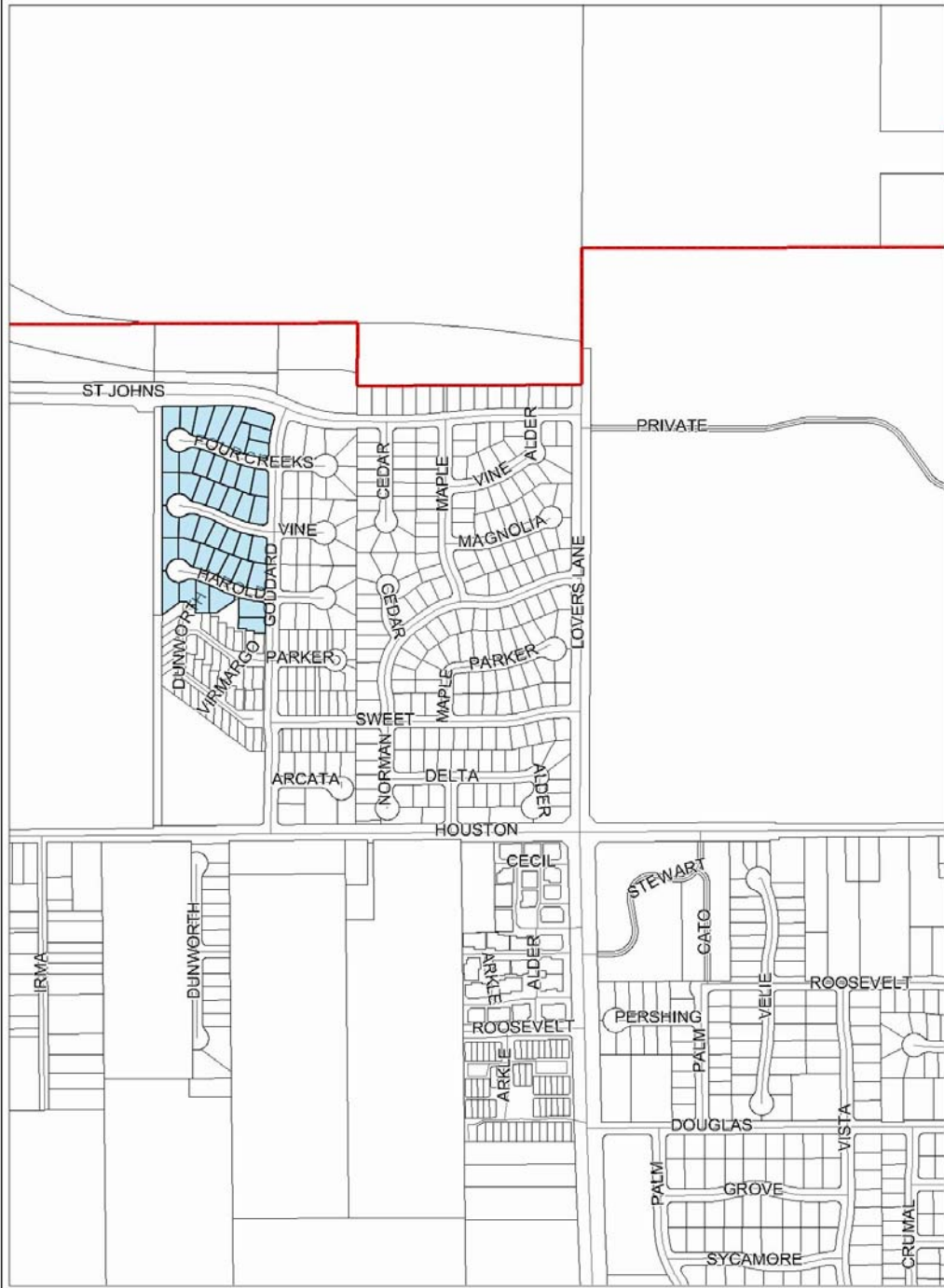
1: 6,744



Map By :
6/1/2010
@ City of Visalia



District 9102 Rivers Edge



- Legend**
- LargeStAnno
 - Streets
 - City Limits
 - Railroad
 - PARCELS
 - Street Names

Notes

1: 7,132



Map By :
6/1/2010
© City of Visalia



District 9204 Westgate Estates



- Legend**
- LargeStAnno
 - Streets
 - City Limits
 - Railroad
 - PARCELS
 - Street Names

Notes

1: 4,513



Map By :
6/1/2010
@ City of Visalia

**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 7, 2010

Agenda Item Number (Assigned by City Clerk): 7

Agenda Item Wording: PUBLIC HEARING – ballot vote results for proposed annexation of Cameron Creek Ranch Unit No. 4 and 5 into Landscape & Lighting District No. 02-02 “Cameron Creek Ranch #1 and 2. If passed, authorize the annexation of Cameron Creek Ranch Unit No. 4 and 5 into Landscape and Lighting District No. 02-02, “Cameron Creek Ranch #1 & 2” and authorize the renaming of the District to “Cameron Creek Ranch” (Resolutions Nos. 2010-20 and 2010-21 required).

Deadline for Action: June 7, 2010

Submitting Department: Community Development & Public Works, Administration - Finance

Contact Name and Phone Number: Doug Damko 713-4268
Eric Frost 713-4474
Jason Montgomery 713-4425

Department Recommendation

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive ballots and public testimony on the proposed annexation of Cameron Creek Ranch Unit No. 4 and 5 into Landscape & Lighting District No. 02-02, “Cameron Creek Ranch #1 and 2”.
2. Allow staff to open and tabulate the ballots.
3. Certify the results of the ballot.
4. If passed, adopt Resolution No. 2010-20 Initiating Proceedings for Annexation to Assessment District No. 02-02, “Cameron Creek Ranch #1 & 2” and renaming the District to “Cameron Creek Ranch”. Also, adopt Resolution No. 2010-21 confirming the Engineer’s Report, Ordering the Improvements and levying the annual assessments.

Background

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

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 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.

Cameron Creek Ranch is an existing residential subdivision located at the corners of Cameron Ave and Oakview Street and Caldwell Ave. and West Street (see Attachment 3 for location map). The subdivision was developed in four units or phases. Council authorized the recording of the final map for Cameron Creek Ranch Unit No. 1 on June 18, 2001 and the recording of the final map for Cameron Creek Ranch Unit No. 2 on June 3, 2002. On August 19, 2002, Council authorized the formation of Landscape and Lighting District 02-02, "Cameron Creek Ranch #1 & 2."

On June 16, 2003, Council authorized the recording of the Final Map for Cameron Creek Ranch Unit No. 4 and 5. Through an oversight, these units were not annexed into the Landscape and Lighting District that had been established for the subdivisions earlier units. As a result, the City has been maintaining the area since 2004 and has not collected any assessments from the property owners in these units to fund the maintenance. Typically, later phases of a development are annexed into the Landscape and Lighting District created by the developer of the subdivision during the initial phases of development and before homes are sold. Because each lot of the Cameron Creek Ranch subdivision are now owned by individual home owners, in order to annex Cameron Creek Ranch Unit No. 4 and 5 into Landscape and Lighting District 02-02, "Cameron Creek Ranch #1 & 2" a ballot must be done.

The established Landscape and Lighting District 02-02, "Cameron Creek Ranch #1 & 2" is made up of 85 parcels. The number of parcels in the proposed annexation area, Cameron Creek Ranch Unit No. 4 and 5, is 57 parcels. As of June 30, 2009, the total deficit for the two areas combined is \$19,562.80. If the annexation passes, it is estimated that this deficit will be paid off within five years without any increase to the assessment.

Balloting Process

Landscape and Lighting Benefit Assessments are placed on the property tax roll, and as such, are subject to Proposition 218, which requires local agencies to get approval from property owners for increases in property fees not previously agreed upon. The process includes a ballot vote of affected property owners to approve the proposed increase, with a simple majority of the returned ballots to approve the increase. Proposition 218 requirements have been met, and on April 23, 2010 142 ballots were mailed to the property owners in the Cameron Creek Ranch subdivision asking them to approve the annexation of Unit No. 4 and 5 into Landscape and Lighting District 02-02 and an annual benefit assessment of \$129.52 per lot. If approved, the benefit assessment for property owners already located in Landscape and Lighting District No. 02-02 would be lowered from \$134.52 to \$129.52. For property owners who are located in the annexed area (Cameron Creek Ranch Unit No. 4 and 5), the annual per lot assessment of \$129.52 would be placed on the property owners' property tax bill and will pay for the maintenance of the subdivision's common turf, shrub area, trees, street lighting, and maintenance of walls and abatement of graffiti.

If the annexation passes, there would be 142 properties sharing in the responsibility of the maintenance of the Landscape and Lighting District. The assessment for the Cameron Creek Ranch District would be \$129.52 per property owner per year (or about \$10.79 per month). The total annual assessment for the Cameron Creek Ranch District would be \$18,391.84 per year.

Public Hearing

At the public hearing, property owners can address the Council regarding the annexation of Cameron Creek Ranch Unit No. 4 and 5 into Landscape and Lighting District No. 02-02 and the benefit assessment. Staff has collected the sealed returned ballots and after public testimony

has been received, will tabulate the ballot votes and present the results to Council later in the Council meeting. Should the simple majority of the ballots cast approve the annexation, then Council may authorize the annexation. Should the District annexation not be approved by the property owners, then the benefit assessment cannot be placed on the property owners' property tax bill and funding will not be available to maintain the improvements in the common areas of Cameron Creek Ranch Unit No. 4 and 5. This may result in the City having to replace the common turf and shrubs for Unit No. 4 and 5 with low or no maintenance landscaping.

Prior Council/Board Actions:

- June 10, 1987, Council began authorizing the use of landscape maintenance assessment districts per the Landscape and Lighting Act of 1972 for maintaining common area features that are a special benefit and enhance subdivisions.
- June 18, 2001, Council authorized the recording of the final map for Cameron Creek Ranch Unit No. 1.
- June 3, 2002, Council authorized the recording of the final map for Cameron Creek Ranch Unit No. 2.
- August 19, 2002, Council authorized the formation of Landscape and Lighting District 02-02, "Cameron Creek Ranch #1 & 2".
- June 16, 2003, Council authorized the recording of the final map for Cameron Creek Ranch Unit No. 4 & 5.

Committee/Commission Review and Actions:

Alternatives: If the annexation of Cameron Creek Ranch Unit No. 4 and 5 into Landscaping and Lighting District 02-02 is not approved, alternatives exist:

- The City may elect to replace the common turf and shrubs for Unit No. 4 and 5 with low or no maintenance landscaping.

Attachments:

- Attachment 1 - Location Map, Resolution Initiating Proceedings, Clerk's Certification, Resolution Ordering Improvements, Exhibits "A", "B", "C" and "D"
- Attachment 2 – Ballot Letter
- Attachment 3 – Location Map

Recommended Motion (and Alternative Motions if expected): Move to adopt Resolution No. 2010-20 Initiating Proceedings for Annexation to Assessment District No. 02-02, "Cameron Creek Ranch #1 & 2" and renaming the District to "Cameron Creek Ranch". Also, move to adopt Resolution No. 2010-21 Ordering the Improvements for Assessment District No. 02-02, "Cameron Creek Ranch".

Environmental Assessment Status

CEQA Review:

NEPA Review:

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

Copies of this report have been provided to:

RESOLUTION NO. 2010-20

RESOLUTION INITIATING PROCEEDINGS
FOR ANNEXATION TO
ASSESSMENT DISTRICT 02-02
CAMERON CREEK RANCH
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

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

Maintenance of turf, shrub area, irrigation systems, trees, walls and any other applicable equipment or improvements.
2. The district, including the annexation, shall continue with the designation established with the initial formation, which is "Assessment District No. 02-02, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 02-02, City of Visalia, Tulare County, California, Cameron Creek Ranch", which is on file with the City Clerk.
3. The district, including the annexation, shall be renamed from "Cameron Creek Ranch #1 & 2" to "Cameron Creek Ranch."
4. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 02-02
CAMERON CREEK RANCH
(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 02-02, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the th day of , 20 by its Resolution No. 2010-_____

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

RESOLUTION NO. 2010-21

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 02-02
CAMERON CREEK RANCH
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for the annexation to Assessment District No. 02-02, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed annexation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the annexation to the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 02-02.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

Assessment Diagram Assessment District No. 02-02 City of Visalia, Tulare County, California Cameron Creek Ranch

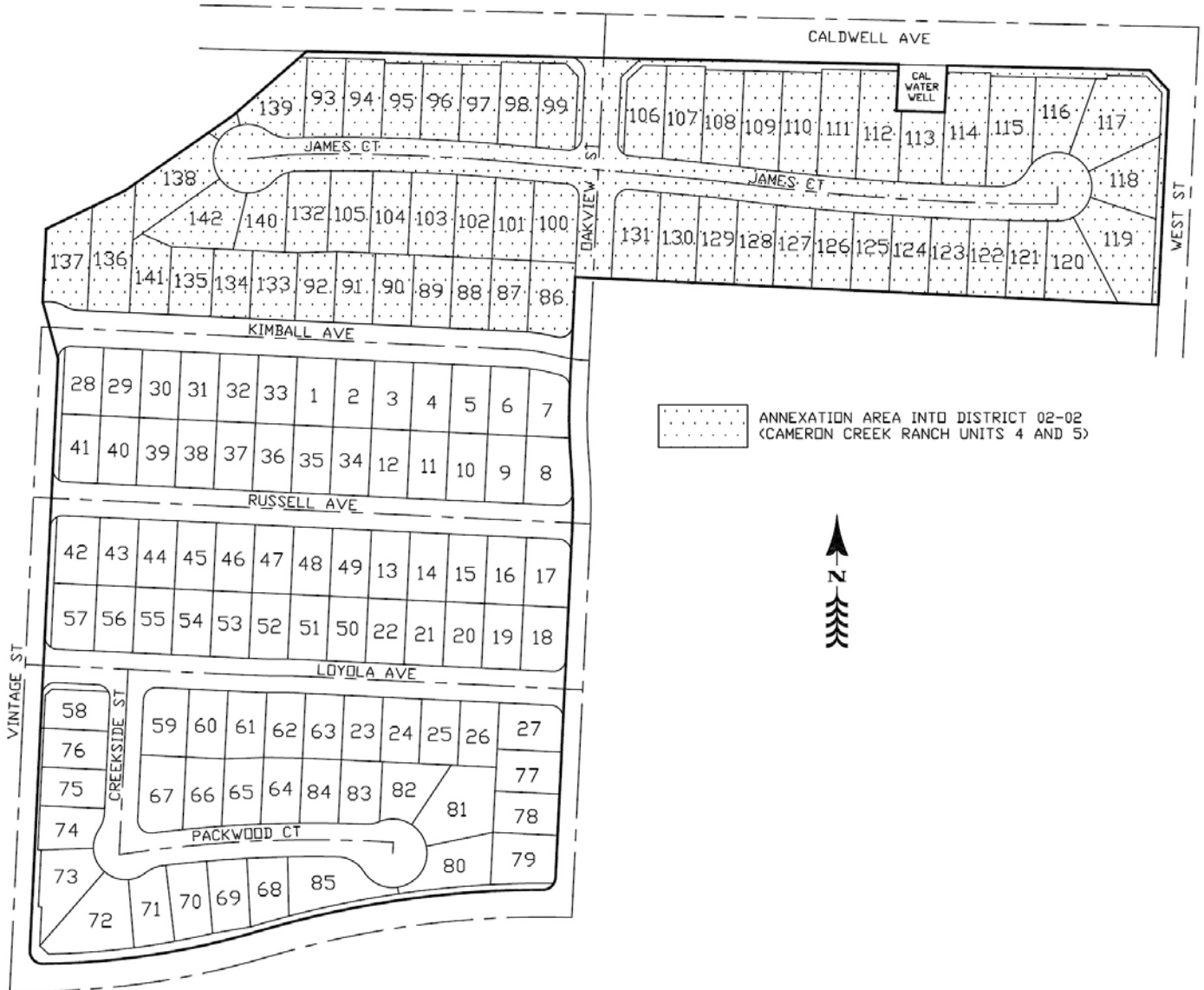


Exhibit "B"

Landscape Location Diagram Assessment District No. 02-02 City of Visalia, Tulare County, California Cameron Creek Ranch

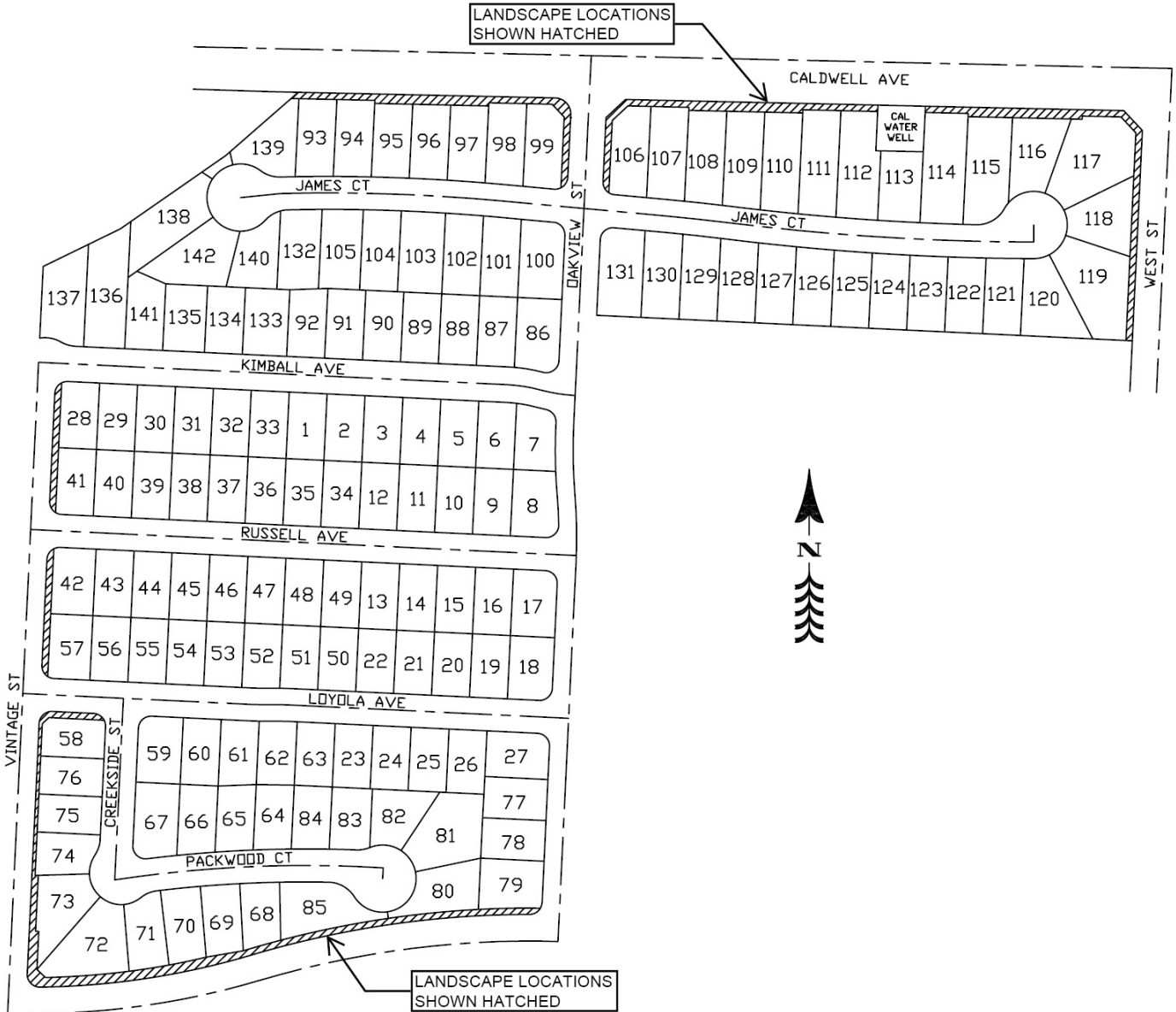


Exhibit "C"Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 02-02
Cameron Creek Ranch

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
126570030		GLASGOW DOROTHEA CHRYSTELL (TR)	02-02001	CAMERON CREEK RANCH
126570031		BREMNER MARCUS C & MARY	02-02002	CAMERON CREEK RANCH
126570032		ONSUREZ JOSEPH P & AMELIA A (TRS)	02-02003	CAMERON CREEK RANCH
126570033		MC GRAW AARON & JACOBA	02-02004	CAMERON CREEK RANCH
126570034		RUTLEDGE LESLIE	02-02005	CAMERON CREEK RANCH
126570035		MAKOUL GEORGE P	02-02006	CAMERON CREEK RANCH
126570036		GARCIA MANUEL J & CAROL A	02-02007	CAMERON CREEK RANCH
126580036		STRINGER TURNER ADRIAN	02-02008	CAMERON CREEK RANCH
126580037		JEFFERSON TOBY & MEGAN A	02-02009	CAMERON CREEK RANCH
126580038		BERRY RUDOLPH C JR	02-02010	CAMERON CREEK RANCH
126580039		FOX THOMAS & RASHELL	02-02011	CAMERON CREEK RANCH
126580040		CASTRO EFREN	02-02012	CAMERON CREEK RANCH
126580041		SUNG KWOK HO	02-02013	CAMERON CREEK RANCH
126580042		LEATHERMAN SCOTT S & MARGARET K	02-02014	CAMERON CREEK RANCH
126580043		FRANICH JONATHAN E & DENISE K	02-02015	CAMERON CREEK RANCH
126580044		COFFMAN JENNIFER MICHELLE	02-02016	CAMERON CREEK RANCH
126580045		LA FAIVE ROBERT & CAROL	02-02017	CAMERON CREEK RANCH
126580046		SCHIMPF GEORGE & XIMENA	02-02018	CAMERON CREEK RANCH
126580047		ATHERTON JEFFREY & CINDY	02-02019	CAMERON CREEK RANCH
126580048		TSANG DANNY W	02-02020	CAMERON CREEK RANCH
126580049		BROKAW LEON & RUTH	02-02021	CAMERON CREEK RANCH
126580050		RUTHERFORD HAZEL I (TR REVOC TR)	02-02022	CAMERON CREEK RANCH
126580051		HEDLUND JOEL W & CODIE G	02-02023	CAMERON CREEK RANCH
126580052		ROSENBERGER GARY M & DENISE JW	02-02024	CAMERON CREEK RANCH
126580053		ANDREWS JAMES A & KIMBERLY R	02-02025	CAMERON CREEK RANCH
126580054		SORIA SALVADOR & SONIA	02-02026	CAMERON CREEK RANCH
126580055		TUNE LORI M	02-02027	CAMERON CREEK RANCH
126690001		FLORENTE MARCELIANO O & EVANGELINE S	02-02028	CAMERON CREEK RANCH
126690002		PAYTON JOHN A & JADENE M	02-02029	CAMERON CREEK RANCH
126690003		WHITED KATHY C	02-02030	CAMERON CREEK RANCH
126690004		LANGE DAVID M	02-02031	CAMERON CREEK RANCH
126690005		PERRY BEVERLY (TR)	02-02032	CAMERON CREEK RANCH
126690006		ABULARACH VICTOR	02-02033	CAMERON CREEK RANCH
126690007		ROCHA BRETT & NORMA	02-02034	CAMERON CREEK RANCH
126690008		ROMERO TERESA & LUIS	02-02035	CAMERON CREEK RANCH
126690009		ORTIZ ROGELIO & JOSEFINA	02-02036	CAMERON CREEK RANCH
126690010		FRY STEVEN W	02-02037	CAMERON CREEK RANCH
126690011		GIOTTA JOHNNY L (TR)	02-02038	CAMERON CREEK RANCH
126690012		BAKHOUM YOUSEFF & NADIA	02-02039	CAMERON CREEK RANCH
126690013		HUDA MEHDI & NASEEM	02-02040	CAMERON CREEK RANCH
126690014		LOVELADY TIMOTHY W & MELISSA JO	02-02041	CAMERON CREEK RANCH
126690015		EBEL TIMOTHY S & JULY M	02-02042	CAMERON CREEK RANCH
126690016		GARZA JOSE A & MARLENE R	02-02043	CAMERON CREEK RANCH
126690017		GONZALES EZEQUIEL & JAMIE	02-02044	CAMERON CREEK RANCH

Exhibit "C"

Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 02-02
Cameron Creek Ranch

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
126690018		NAUGLE ROBERT	02-02045	CAMERON CREEK RANCH
126690019		LEE JOHN & HEON HEE	02-02046	CAMERON CREEK RANCH
126690020		MASTERSON ROBERT & LEANE	02-02047	CAMERON CREEK RANCH
126690021		STOHL LAURIE	02-02048	CAMERON CREEK RANCH
126690022		ARIAS CAROLINA	02-02049	CAMERON CREEK RANCH
126690023		ROBINSON MICHAEL J & CHRISTINA	02-02050	CAMERON CREEK RANCH
126690024		CONTRERAS MARCOS A	02-02051	CAMERON CREEK RANCH
126690025		LOPEZ ALEX & PATRICIA R	02-02052	CAMERON CREEK RANCH
126690026		ARAMBULA JESUS	02-02053	CAMERON CREEK RANCH
126690027		GALLETTI RHONDA M	02-02054	CAMERON CREEK RANCH
126690028		EISELE LANCE S & KAREN E	02-02055	CAMERON CREEK RANCH
126690029		GEIST MARLIN B	02-02056	CAMERON CREEK RANCH
126690030		TORRES JOHN & ELIZABETH	02-02057	CAMERON CREEK RANCH
126690031		PADILLA MICHAEL B	02-02058	CAMERON CREEK RANCH
126690032		DEUTSCHE BANK NATIONAL TRUST	02-02059	CAMERON CREEK RANCH
126690033		RAMIREZ NICOLAS	02-02060	CAMERON CREEK RANCH
126690034		VANNARATTANURAT USSAWIN & PORNTIP	02-02061	CAMERON CREEK RANCH
126690035		GALANG BOBBY L & ANALYN A	02-02062	CAMERON CREEK RANCH
126690036		RORIGUEZ ENRIQUE & CARMEN M	02-02063	CAMERON CREEK RANCH
126720009		SALAS FAMILY TRUST	02-02064	CAMERON CREEK RANCH
126720010		MOLDER NORMA (TR)	02-02065	CAMERON CREEK RANCH
126720011		COLLINS RENNY S	02-02066	CAMERON CREEK RANCH
126720012		GAXIOLA JOSE S	02-02067	CAMERON CREEK RANCH
126720014		HUDA MEHDI & NASEEM M	02-02068	CAMERON CREEK RANCH
126720015		ROWE THOMAS	02-02069	CAMERON CREEK RANCH
126720016		SANCHEZ LUPE C	02-02070	CAMERON CREEK RANCH
126720017		SILSBY ADAM	02-02071	CAMERON CREEK RANCH
126720018		SHUKLIAN PETE & KELLY ANN	02-02072	CAMERON CREEK RANCH
126720019		CHAVEZ ROBERT P JR & DEBRA S	02-02073	CAMERON CREEK RANCH
126720020		MEDRANO JOSE A	02-02074	CAMERON CREEK RANCH
126720021		ALVAREZ JOHNNY	02-02075	CAMERON CREEK RANCH
126720022		JONES DAVID J & TAMMY	02-02076	CAMERON CREEK RANCH
126740026		ABARQUEZ AMELIA S & ANTONIO B	02-02077	CAMERON CREEK RANCH
126740027		MASSEY MOTTARAY	02-02078	CAMERON CREEK RANCH
126740028		LUNA FERNANDO	02-02079	CAMERON CREEK RANCH
126740029		JARAMILLO NATHAN	02-02080	CAMERON CREEK RANCH
126740030		TREGANZA JAMES D	02-02081	CAMERON CREEK RANCH
126740031		RAMOS RUBEN & GLORIA	02-02082	CAMERON CREEK RANCH
126740032		GILL RACHELLE M (TR REV TR)	02-02083	CAMERON CREEK RANCH
126740033		SUNG KWOK HO	02-02084	CAMERON CREEK RANCH
126740034		LUDVICKSON WAYNE E & ELIZABETH R	02-02085	CAMERON CREEK RANCH
126570038		GARCIA LIDUVINA	02-02086	CAMERON CREEK RANCH
126570039		FERNANDEZ DORA	02-02087	CAMERON CREEK RANCH
126570040		FERNANDEZ MELESIO & MARTHA	02-02088	CAMERON CREEK RANCH

Exhibit "C"

Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 02-02
Cameron Creek Ranch

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
126570041		SUJO THOMAS & ISABEL	02-02089	CAMERON CREEK RANCH
126570042		ORTIZ JESUS & ESTELLA	02-02090	CAMERON CREEK RANCH
126570043		YANG TRULY & SEEKA	02-02091	CAMERON CREEK RANCH
126570044		SHOCKENCY CHARLES S	02-02092	CAMERON CREEK RANCH
126570045		GUTIERREZ ALFONSO	02-02093	CAMERON CREEK RANCH
126570046		SORIANO NELSON & MARGIE	02-02094	CAMERON CREEK RANCH
126570047		TJIOE HERMAWAN	02-02095	CAMERON CREEK RANCH
126570048		THOMPSON JAMES P & MARIA C PLASCENCIA	02-02096	CAMERON CREEK RANCH
126570049		BIRRING GURKAMAL S	02-02097	CAMERON CREEK RANCH
126570050		SINGH KULDIP	02-02098	CAMERON CREEK RANCH
126570051		MELEAR CONSUELO	02-02099	CAMERON CREEK RANCH
126570052		AYYAD MARIO & MARITSSA R	02-02100	CAMERON CREEK RANCH
126570053		BEAIRD CRYSTAL A	02-02101	CAMERON CREEK RANCH
126570054		ROCHA JESSE G & MARY E (TRS)	02-02102	CAMERON CREEK RANCH
126570055		MAYARA ELIAS	02-02103	CAMERON CREEK RANCH
126570056		STRINGER BRIAN C & RACIELA	02-02104	CAMERON CREEK RANCH
126570057		CASTANETO EDITHA	02-02105	CAMERON CREEK RANCH
126570059		LA ANDY	02-02106	CAMERON CREEK RANCH
126570060		MENDEZ EDGAR & LETICIA	02-02107	CAMERON CREEK RANCH
126570061		JAUREGUI ALFREDO & MAYDA L	02-02108	CAMERON CREEK RANCH
126570062		KAMBOJ PRADEEP & MANJUSHA	02-02109	CAMERON CREEK RANCH
126570063		FAGURA JAGDEEP SINGH	02-02110	CAMERON CREEK RANCH
126570064		COX ANTHONY CHARLES	02-02111	CAMERON CREEK RANCH
126570065		PALACIOS BENITO & LOURDES	02-02112	CAMERON CREEK RANCH
126570066		THUROW DALE H	02-02113	CAMERON CREEK RANCH
126570067		ATIENZA ERLINDA & DEMETRIO M	02-02114	CAMERON CREEK RANCH
126570068		CUSTDIO CRISTINA Y	02-02115	CAMERON CREEK RANCH
126570069		IGNACIO VIRGINIA A	02-02116	CAMERON CREEK RANCH
126570070		COLBY DONALD & MARLENE D	02-02117	CAMERON CREEK RANCH
126570071		JONES JOHN P	02-02118	CAMERON CREEK RANCH
126570072		VALENCIA CATALINA	02-02119	CAMERON CREEK RANCH
126570073		MOODY LENNY D & DIANE J (TRS)	02-02120	CAMERON CREEK RANCH
126570074		MC CAIG ROSA	02-02121	CAMERON CREEK RANCH
126570075		WOLDEN ELMER E & RUBY LOUISE	02-02122	CAMERON CREEK RANCH
126570076		STEWART BRETT H	02-02123	CAMERON CREEK RANCH
126570077		NELSON SCOTT W	02-02124	CAMERON CREEK RANCH
126570078		BAGGS HAROLD R & SYLVIA S (TRS)	02-02125	CAMERON CREEK RANCH
126570079		TROUNG AN	02-02126	CAMERON CREEK RANCH
126570080		WOODS MARK A	02-02127	CAMERON CREEK RANCH
126570081		GULLOTTO KIRK S & BRENDA	02-02128	CAMERON CREEK RANCH
126570082		VILLANUEVA JOSEPH & ROSIE	02-02129	CAMERON CREEK RANCH
126570083		ANDRADA AMMI	02-02130	CAMERON CREEK RANCH
126570084		CUSIMANO ROSALIE A (TR)	02-02131	CAMERON CREEK RANCH
126570085		GARCIA GABRIEL & DEYADIRA	02-02132	CAMERON CREEK RANCH

Exhibit "C"

Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 02-02
Cameron Creek Ranch

<u>APN #</u>	<u>Assessment</u>	<u>Owner</u>	<u>Lot #</u>	<u>District</u>
126680011		CHUNG WILLIAM Q & SONG	02-02133	CAMERON CREEK RANCH
126680012		BURLESON RICHARD M	02-02134	CAMERON CREEK RANCH
126680013		ROBINSON FRANKIE O & MARGOT	02-02135	CAMERON CREEK RANCH
126680015		RAMIREZ JORGE	02-02136	CAMERON CREEK RANCH
126680016		MARTIN RODGER L & DONNA L (TRS FAM TR)	02-02137	CAMERON CREEK RANCH
126680017		CANO GABINO & OLGA	02-02138	CAMERON CREEK RANCH
126680021		SANDOVAL VICTOR	02-02139	CAMERON CREEK RANCH
126680022		ALLAN LINDSAY	02-02140	CAMERON CREEK RANCH
126680023		DYT DARREN	02-02141	CAMERON CREEK RANCH
126680024		HARRIS GEORGE W	02-02142	CAMERON CREEK RANCH

Exhibit "D"

Engineer's Report
Fiscal Year 2010-11
Assessment District No. 02-02
Cameron Creek Ranch

General Description

This Assessment District 02-02 (District) is located at the southwest corner of Caldwell Avenue and West Street. Exhibit "A" is the assessment diagram for this District. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls and any other applicable equipment or improvements. The maintenance of irrigation systems and block includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The total number lots within the district is 142.

Determination of Benefit

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

Method of Apportionment

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

Estimated Costs

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

Exhibit "D"

Engineer's Report
Fiscal Year 2010-11
Assessment District No. 02-02
Cameron Creek Ranch

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
Turf Area	Sq. Ft.	16087	\$0.120	\$1,930.44
Shrub Area	Sq. Ft.	30443	\$0.120	\$3,653.16
Water	Sq. Ft.	46530	\$0.050	\$2,326.50
Electricity	Sq. Ft.	46530	\$0.008	\$374.10
Trees In Landscape Lots	Each	147	\$25.00	\$3,675.00
Street Lights	Each	21	\$105.00	\$2,205.00
Project Management Costs	Lots	142	\$18.00	\$2,556.00
				<hr/>
TOTAL				\$16,720.20
10% Reserve Fund				\$1,672.02
				<hr/>
GRAND TOTAL				\$18,392.22
COST PER LOT				\$129.52

Annual Cost Increase

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

$$A_{max} \text{ for any given year "n"} = (\$18,392.22) (1.05)^{(n-1)}$$

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

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

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

Example 1. The estimated year four cost of maintaining the improvements in the district is \$20,047.52 [a 9% increase over the base year estimated cost of \$18,392.22]. The maximum annual assessment for year four is \$21,291.29

Exhibit "D"

Engineer's Report
Fiscal Year 2010-11
Assessment District No. 02-02
Cameron Creek Ranch

(4-1)
[$A_{\max} = (\$18,392.22) (1.05)^{(4-1)}$]. The assessment will be set at \$20,047.52 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$20,783.21 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$18,392.22]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$415.66 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum (4-1) annual assessment for year four is \$21,291.29 [$A_{\max} = (18,392.22) (1.05)^{(4-1)}$]. The year four assessment will be set at \$20,783.21 plus the deficit amount of \$415.66 which equals \$21,198.87 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$20,047.52 [a 9% increase over the base year assessment of 18,392.22] and damage occurred to the masonry wall raising the year five expenses to \$22,438.51 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$22,052.27 (a 10% increase over the previous year) and below the maximum annual assessment of \$22,355.86 (5-1) [$A_{\max} = (18,392.22) (1.05)^{(5-1)}$]. The difference of \$303.59 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

City Engineer Certification

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

Douglas S. Damko
for City Engineer

RCE 59445

Date

Attachment 2



City of Visalia
707 W. Acequia Ave
Visalia, CA 93291

April 23, 2010

John and Jane Doe
100 Anywhere Street
Visalia, CA 93277

Subject: To maintain common landscape and lighting in your neighborhood, the City is asking you to approve the annexation of Cameron Creek Ranch Phase No.'s 4 & 5 into Landscape & Lighting District No. 02-02 Cameron Creek Ranch #1 & 2.

Dear John and Jane Doe:

According to our records, you are the property owner at 100 Anywhere Street, Visalia, CA, located within the Cameron Creek Ranch subdivision. The City of Visalia is proposing that Cameron Creek Ranch Phase No.'s 4 & 5 be annexed into Landscape and Lighting District No. 02-02, Cameron Creek Ranch #1 & 2 to provide funding to maintain the subdivision's common turf, shrub area, trees, and street lighting, entrance wall, and abatement of graffiti (see shaded areas on enclosed map for common areas).

Typically, later phases of a development are annexed into the original Landscape and Lighting District created by the developer during the initial phases of the subdivision and before homes are sold. Because of an oversight, Cameron Creek Ranch Phase No.'s 4 & 5 of the Cameron Creek Ranch subdivision were not annexed into the established Landscape and Lighting District No. 02-02. As a result, the City has been maintaining the common area for the Cameron Creek Ranch subdivision associated with Phases 4 & 5 since 2004 and has not collected any assessments to fund the maintenance. Although the City has paid the costs in the past, they cannot continue to do so.

Enclosed is a copy of the engineer's report regarding the annexation of Cameron Creek Ranch Phase No.'s 4 & 5 into Landscape and Lighting District No. 02-02. The engineer's report gives a general description of the District and explains the determination of the benefit, method of apportionment, and estimates costs for maintaining the District. In summary, after the annexation, Landscape and Lighting District No. 02-02 will be comprised of 142 lots, with estimated costs to maintain the improvements totaling \$18,392.22 per year. The initial annual per lot assessment will be \$129.52, or \$10.79 per month, which will be placed on your property tax bill. For property owners who are located in Cameron Creek Ranch #1 and #2, the annexation **lowers** your existing annual per lot assessment from \$134.52 to \$129.52, as savings of \$5.00 per year. For property owners who are located in the annexed area, Cameron Creek Ranch Phase No.'s 4 and 5, the annual per lot assessment of \$129.52 will appear on your property tax bill and will allow the City to continue to maintain the subject improvements.

As explained in the engineers report, the annual assessment is limited to actual costs and may not increase more than 10% per year.

Proposition 218 requires local agencies to get approval from the property owners for increases in property fees not previously agreed upon. Enclosed is a ballot which gives you, the property owner, certain options:

1. Yes, I approve the annexation of Cameron Creek Ranch Phase No.'s 4 and 5 into Landscape and Lighting District No. 02-02, Cameron Creek Ranch #1 and 2. The successful annexation will result in an initial benefit assessment of \$129.52 which will be placed on my property tax bill annually. For property owners already located within Landscape and Lighting District No. 02-02, Cameron Creek Ranch #1 and 2, the successful annexation will result in **lowering** the annual benefit assessment placed on the property tax bill from \$134.52 to \$129.52.
2. No, I do not approve of the annexation of Cameron Creek Ranch Phase No.'s 4 and 5 into Landscape and Lighting District No. 02-02, Cameron Creek Ranch #1 and 2. I understand that if the Landscape and Lighting District No. 02-02 is not amended to include Cameron Creek Ranch Phase No.'s 4 and 5, the City will lack the necessary funding to maintain the improvements common to that area. This may result in the replacing of turf and shrubs with low or no maintenance landscaping.

Please consider the enclosed documents, which include a ballot form, an engineer's report for the Cameron Creek Ranch District, and a return envelope.

We invite you to attend one of the scheduled **informational meetings on Thursday, May 6, 2010 or Wednesday, May 19, 2010** at the City Council Chambers at 707 W. Acequia from 6:00 to 6:30 pm. or, if you prefer, please contact Jason Montgomery, Financial Analyst at 713-4425 or by email at jmontgomery@ci.visalia.ca.us Thank you for your consideration.

Public Hearing

The Public Hearing for this proposal will be held on Monday, June 7, 2010 in the City Council Chambers at 707 W. Acequia, Visalia CA., and is scheduled at the beginning of the City Council Regular Session, at approximately 7:00pm. The ballots will be counted and the results delivered to Council at the end of the Regular Session of the City Council Meeting that same evening. At this meeting, affected citizens will have an opportunity to speak to Council, and may also change their ballot vote if desired.

City of Visalia City Clerk's Office
425 E. Oak Ave. Suite 301
Visalia, CA 93291

April 23, 2010

City of Visalia City Clerk's Office
425 E. Oak Ave. Suite 301
Visalia, CA 93291

Attn: **Cameron Creek Ranch, 02-02** District ballot

BALLOT INSTRUCTIONS

Completion and Return Instructions:

1. Fill out the ballot at the bottom of this page. Be sure to mark your choice, sign, and date the ballot **(the ballot will not be counted without your signature)**
2. Fold this page so the addresses above are visible.
3. Insert this page into the provided return envelope so the Clerk's address is visible through the window of the envelope.
4. Place appropriate postage on the return envelope and mail it.
5. In order to be counted, the ballot must arrive at the above address (City Clerk's Office) on or before 5:00 pm, June 7, 2010.
6. ALTERNATIVE DELIVERY: you may also hand deliver the ballot to the City Clerk's office at 425 E. Oak Ave. Suite 301, on or before 5:00 pm on June 7, 2010. If delivered in person, the ballot **must** be in a sealed envelope, or it cannot be accepted.

If you have any question or concerns about the ballot process, formation of the Landscape and Lighting District, or benefit assessment, we invite you to attend one of the scheduled informational meetings on Thursday, May 6, 2010 or Wednesday, May 19, 2010 at the City Council Chambers at 707 W. Acequia from 6:00 to 6:30 pm. or, if you prefer, please contact Jason Montgomery, Financial Analyst at (559) 713-4425 or by email at jmontgomery@ci.visalia.ca.us

BALLOT

Proposal: Approve the annexation of Cameron Creek Ranch Phase No.'s 4 and 5 into Landscape and Lighting District No. 02-02, Cameron Creek Ranch #1 & 2 and the initial benefit assessment of \$129.52 which will be placed on my property tax bill annually. This benefit assessment will allow the City to maintain the subject improvements within the annexed area of the District.

John and Jane Doe, owning property located at 100 Anywhere Street in the Cameron Creek Ranch District:

(Check one)

APPROVES

DISAPPROVES

(Property Owner Signature)

(Date)

Engineer's Report
Assessment District No. 02-02
Cameron Creek Ranch

General Description

This Assessment District 02-02 (District) is located at the southwest corner of Caldwell Avenue and West Street. Exhibit "A" is the assessment diagram for this District. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls and any other applicable equipment or improvements. The maintenance of irrigation systems and block includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The total number lots within the district is 142.

Determination of Benefit

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

Method of Apportionment

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

Estimated Costs

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

Assessment District No. 02-02
Cameron Creek Ranch

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
Turf Area	Sq. Ft.	16087	\$0.120	\$1,930.44
Shrub Area	Sq. Ft.	30443	\$0.120	\$3,653.16
Water	Sq. Ft.	46530	\$0.050	\$2,326.50
Electricity	Sq. Ft.	46530	\$0.008	\$374.10
Trees In Landscape Lots	Each	147	\$25.00	\$3,675.00
Street Lights	Each	21	\$105.00	\$2,205.00
Project Management Costs	Lots	142	\$18.00	\$2,556.00
TOTAL				\$16,720.20
10% Reserve Fund				\$1,672.02
GRAND TOTAL				\$18,392.22
COST PER LOT				\$129.52

Annual Cost Increase

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

$$A_{max} \text{ for any given year "n"} = (\$18,392.22) (1.05)^{(n-1)}$$

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

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

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

Example 1. The estimated year four cost of maintaining the improvements in the district is \$20,047.52 [a 9% increase over the base year estimated cost of \$18,392.22]. The maximum annual assessment for year four is \$21,291.29
 $[A_{max} = (\$18,392.22) (1.05)^{(4-1)}]$. The assessment will be set at \$20,047.52 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Engineer's Report
Assessment District No. 02-02
Cameron Creek Ranch

Example 2. The estimated year four cost of maintaining the improvements in the district is \$20,783.21 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$18,392.22]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$415.66 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum annual assessment for year four is \$21,291.29 [$A_{\max} = (\$18,392.22) (1.05)^{(4-1)}$]. The year four assessment will be set at \$20,783.21 plus the deficit amount of \$415.66 which equals \$21,198.87 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$20,047.52 [a 9% increase over the base year assessment of \$18,392.22] and damage occurred to the masonry wall raising the year five expenses to \$22,438.51 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$22,052.27 (a 10% increase over the previous year) and below the maximum annual assessment of \$22,355.86 [$A_{\max} = (\$18,392.22) (1.05)^{(5-1)}$]. The difference of \$303.59 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

City Engineer Certification

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

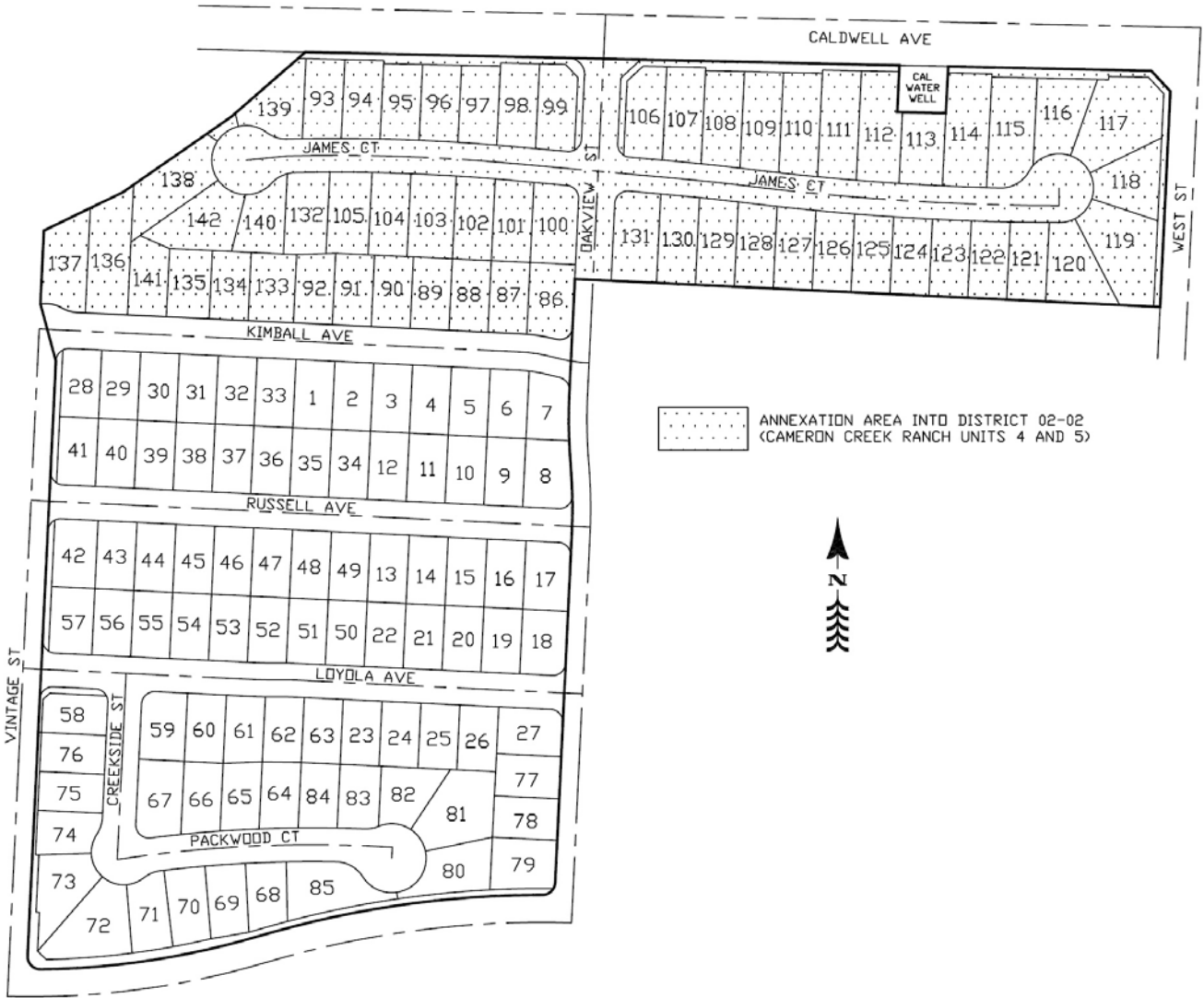
Douglas S. Damko
for City Engineer

RCE 59445

Date

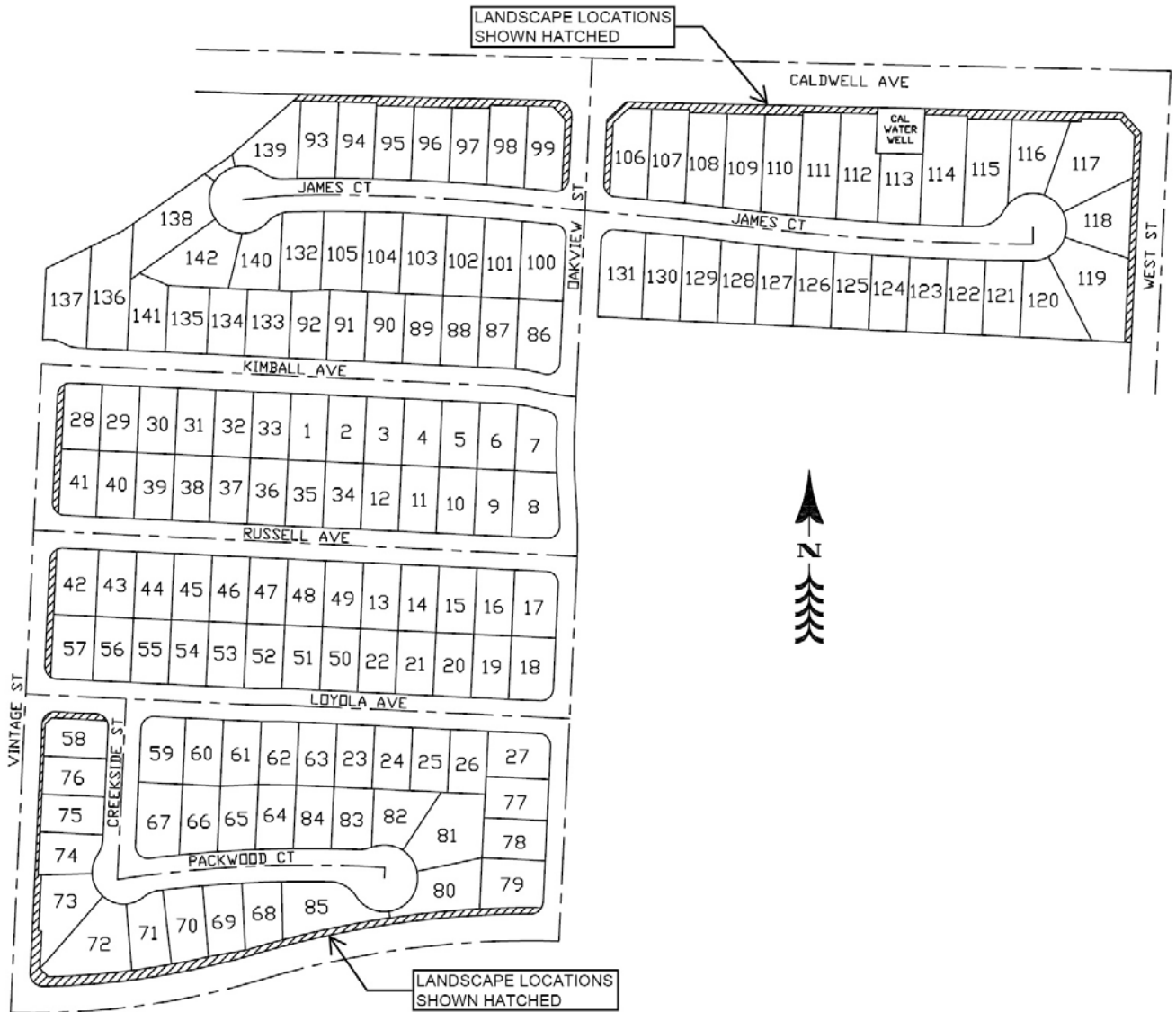
Assessment Diagram

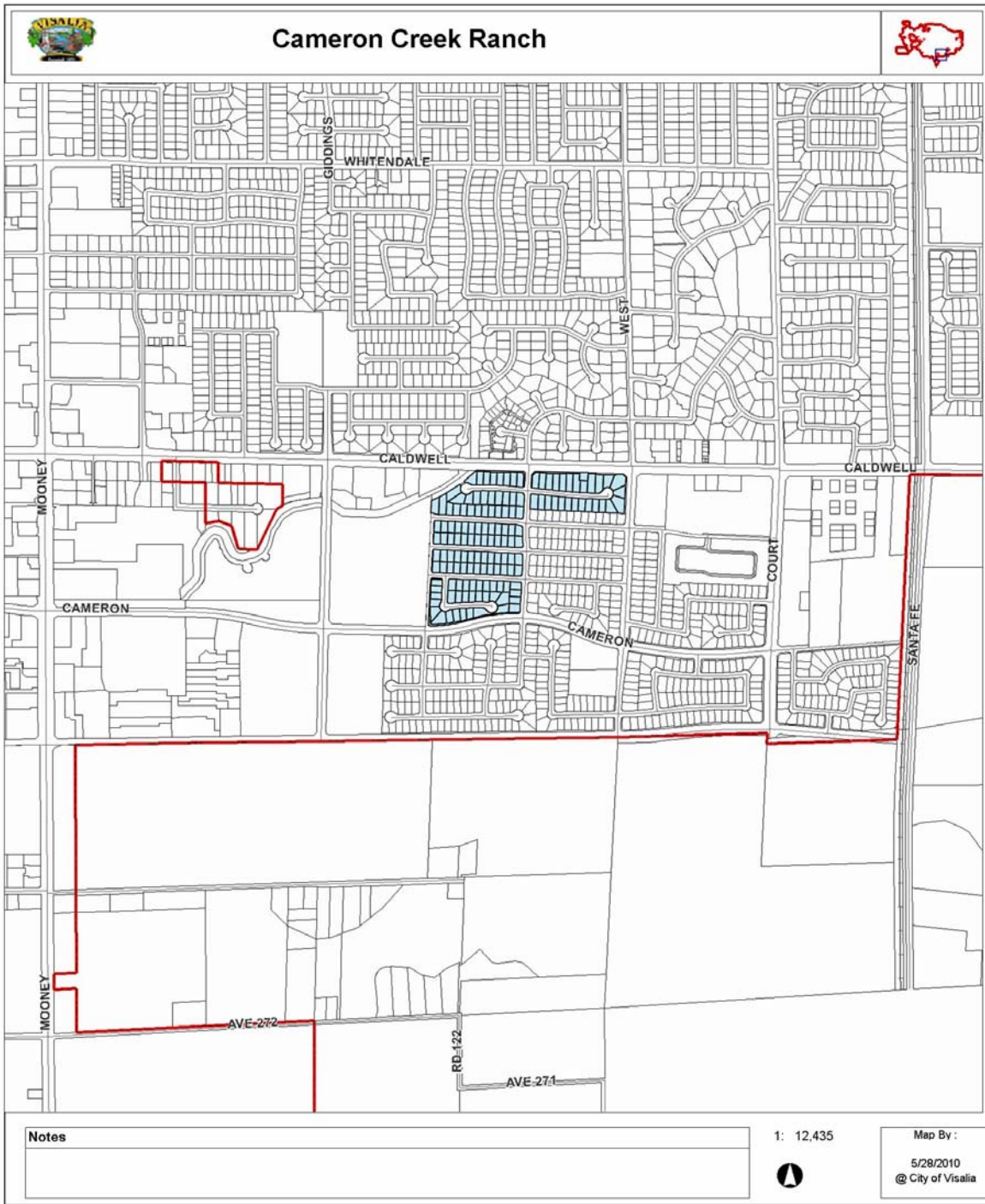
Assessment District No. 02-02
Cameron Creek Ranch



Landscape Location Diagram
Assessment District No. 02-02

Cameron Creek Ranch





**City of Visalia
Agenda Item Transmittal**

Meeting Date: June 7, 2010

Agenda Item Number (Assigned by City Clerk): 8

Agenda Item Wording: PUBLIC HEARING – ballot vote results for proposed Landscape & Lighting District for the Vineyard subdivision, located at Modoc, Wren and Akers streets. If passed, authorize the formation of Landscape and Lighting District No. 2010-01, The Vineyard (Resolutions Nos. 2010-22 and 2010-23 required).

Deadline for Action: June 7, 2010

Submitting Department: Community Development & Public Works, Administration - Finance

Contact Name and Phone Number: Doug Damko 713-4268
Eric Frost 713-4474
Jason Montgomery 713-4425

Department Recommendation

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive ballots and public testimony on the proposed Landscape & Lighting District formation for the Vineyard subdivision.
2. Allow staff to open and tabulate the ballots.
3. Certify the results of the ballot.
4. If passed, adopt Resolution No. 2010-22 Initiating Proceedings for Formation of Assessment District No. 2010-01, The Vineyard. Also, adopt Resolution No. 2010-23 confirming the Engineer's Report, Ordering the Improvements for Assessment District No. 2010-01, The Vineyard and levying the annual assessments.

Background

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

The Vineyard is an existing residential subdivision located at the corners of Modoc and Akers streets and Wren and Akers streets and includes 68 properties (see Attachment 3 for location

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 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.

map). Council authorized the recording of the Final Map for the Vineyard Subdivision on December 18, 2001. Through an oversight, the formation of the Landscape and Lighting District for the subdivision was not done at that time, nor has it been done subsequently. As a result, the City has been maintaining the area since 2003 and has not collected any assessments to fund the maintenance. Typically, the Landscape and Lighting District is created by the developer of the subdivision before homes are sold. Because each lot of the Vineyard subdivision are now owned by individual home owners, in order to form a Landscape and Lighting District a ballot must be done.

Balloting Process

Landscape and Lighting Benefit Assessments are placed on the property tax roll, and as such, are subject to Proposition 218, which requires local agencies to get approval from property owners for increases in property fees not previously agreed upon. The process includes a ballot vote of affected property owners to approve the proposed increase, with a simple majority of the returned ballots to approve the increase. Proposition 218 requirements have been met, and on April 23, 2010 68 ballots were mailed to the property owners in the Vineyard subdivision asking them to approve the formation of a Landscape and Lighting District and an annual benefit assessment of \$124.92 per lot. If approved, the benefit assessment would be placed on the property owners' property tax bill annually and will pay for the maintenance of the subdivision's common turf, shrub area, trees, street lighting, and maintenance of walls and abatement of graffiti.

There are 68 properties that share the responsibility of the maintenance of the proposed Landscape and Lighting District. The proposed assessment for the Vineyard District is \$124.92 per property owner per year (or about \$10.41 per month). The total annual assessment for the Vineyard District is \$8,494.56 per year.

Public Hearing

At the public hearing, property owners can address the Council regarding the establishment of the District and the proposed benefit assessment. Staff has collected the sealed returned ballots and after public testimony has been received, will tabulate the ballot votes and present the results to Council later in the Council meeting. Should the simple majority of the ballots cast approve the District formation, then Council may authorize the formation of Landscape and Lighting District No. 2010-01, The Vineyard. Should the District formation not be approved by the property owners, then the benefit assessment cannot be placed on the property owners' property tax bill and funding will not be available to maintain the improvements in the Vineyard District. This may result in the City having to replace the Vineyards common turf and shrubs with low or no maintenance landscaping.

Prior Council/Board Actions:

- June 10, 1987, Council began authorizing the use of landscape maintenance assessment districts per the Landscape and Lighting Act of 1972 for maintaining common area features that are a special benefit and enhance subdivisions.
- December 18, 2001, Council authorized the recordation of the Final Map for The Vineyard Subdivision.

Committee/Commission Review and Actions:

Alternatives: If the Vineyard Landscaping and Lighting District formation is not approved, alternatives exist:

- The City may elect to replace the Vineyards common turf and shrubs with low or no maintenance landscaping.

Attachments:

- Attachment 1 - Location Map, Resolution Initiating Proceedings, Clerk's Certification, Resolution Ordering Improvements, Exhibits "A", "B", "C" and "D"
- Attachment 2 – Ballot Letter

Recommended Motion (and Alternative Motions if expected): Move to adopt Resolution No. 2010-22 Initiating Proceedings for Formation of Assessment District No. 2010-01, The Vineyard and adopt Resolution No. 2010-23 Ordering the Improvements for Assessment District No. 2010-01, The Vineyard.

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:

RESOLUTION NO. 2010-22

RESOLUTION INITIATING PROCEEDINGS
FOR FORMATION OF
ASSESSMENT DISTRICT 2010-01
THE VINEYARD
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

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

Maintenance of turf, shrub area, irrigation systems, trees, walls and any other applicable equipment or improvements.
2. The proposed district shall be designated "Assessment District No. 2010-01, City of Visalia, Tulare County, California" and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 2010-01, City of Visalia, Tulare County, California, The Vineyard", which is on file with the City Clerk.
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 2010-01

THE VINEYARD

(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 2010-01, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on the th day of , 20 by its Resolution No. 2010-_____

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

RESOLUTION NO. 2010-23

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 2010-01
THE VINEYARD
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for the formation of "Assessment District No. 2010-01, City of Visalia, Tulare County, California" and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2010-11.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

Assessment Diagram
Assessment District No. 2010-01
City of Visalia, Tulare County, California
The Vineyard

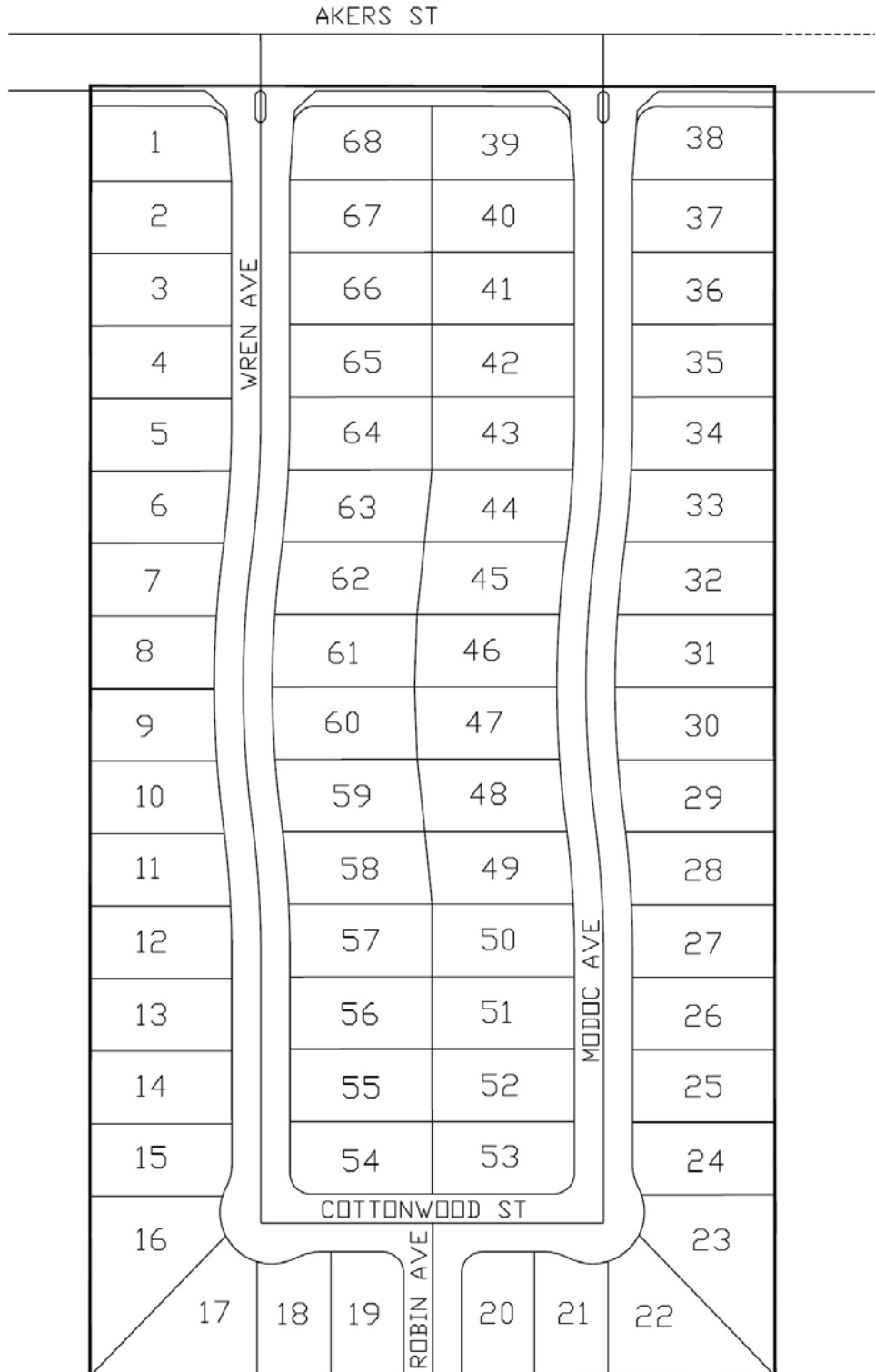


Exhibit "B"

Landscape Location Diagram Assessment District No. 2010-01 The Vineyard

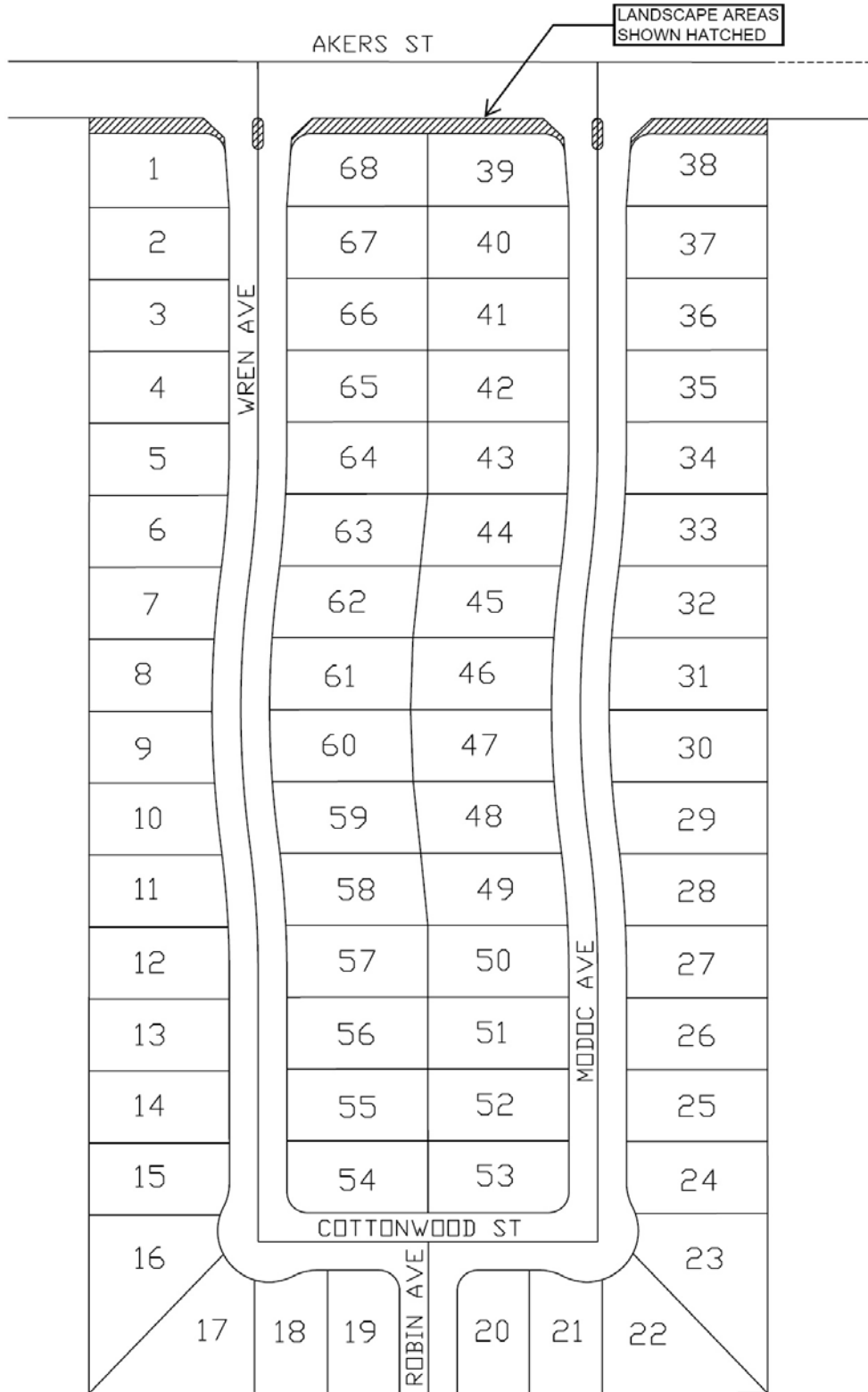


Exhibit "C"

Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 2010-01
The Vineyard

APN #	Assessment	Owner	Lot #	District
077-400-001	\$124.92	NEWMAN PAULETTE	2010-0101	THE VINEYARD
077-400-002	\$124.92	BETHESDA LUTHERAN COMMUNITIES INC	2010-0102	THE VINEYARD
077-400-003	\$124.92	WELLS MAYSUN F & KILA T	2010-0103	THE VINEYARD
077-400-004	\$124.92	HYLER DONALD E SR & MARTHA M	2010-0104	THE VINEYARD
077-400-005	\$124.92	HOLMES TOMAS	2010-0105	THE VINEYARD
077-400-006	\$124.92	MOTA JUAN M JR	2010-0106	THE VINEYARD
077-400-007	\$124.92	NORDIN JAMES H & ROSE MARIE	2010-0107	THE VINEYARD
077-400-008	\$124.92	GOOD SHEPARD LUTHERAN HOME OF THE WEST	2010-0108	THE VINEYARD
077-400-009	\$124.92	GANN RUSELL L & CYNTHIA S (TRS)	2010-0109	THE VINEYARD
077-400-010	\$124.92	STOGSDILL DAREN E & MELISSA J	2010-0110	THE VINEYARD
077-400-011	\$124.92	FIERROS JESS	2010-0111	THE VINEYARD
077-400-012	\$124.92	COOK RANDALE T & JENIFER B	2010-0112	THE VINEYARD
077-400-013	\$124.92	FRANKS JAMES D & JUDITH A(TRS FAM TR)	2010-0113	THE VINEYARD
077-400-014	\$124.92	ROSS EMIL J & TARA A	2010-0114	THE VINEYARD
077-400-015	\$124.92	RITCHIE DOYLE & WANDA	2010-0115	THE VINEYARD
077-400-016	\$124.92	KNOPF MICHAEL D & MARY DANETTE M (TRS)	2010-0116	THE VINEYARD
077-400-017	\$124.92	BUTLER RICHARD H JR & LYDIA MARIE	2010-0117	THE VINEYARD
077-400-018	\$124.92	BAKER MICHAEL & GORETTE	2010-0118	THE VINEYARD
077-400-019	\$124.92	BILIARDI TEDDY D & CAROLYN S	2010-0119	THE VINEYARD
077-400-020	\$124.92	WEBB GLENN	2010-0120	THE VINEYARD
077-400-021	\$124.92	JULES DELOIS E	2010-0121	THE VINEYARD
077-400-022	\$124.92	GALVAN RODRIGO & LORI	2010-0122	THE VINEYARD
077-400-023	\$124.92	OROSCO THERESA	2010-0123	THE VINEYARD
077-400-024	\$124.92	MILES CURTISS & MYRTLE	2010-0124	THE VINEYARD
077-400-025	\$124.92	WOOD JOSHUA M	2010-0125	THE VINEYARD
077-400-026	\$124.92	WALES DUSTIN L & DANA J	2010-0126	THE VINEYARD
077-400-027	\$124.92	THE VINK REVOCABLE LIVING TRUST	2010-0127	THE VINEYARD
077-400-028	\$124.92	CARTER PEGGY	2010-0128	THE VINEYARD
077-400-029	\$124.92	MARCHANT DARWIN & CAROL L	2010-0129	THE VINEYARD
077-400-030	\$124.92	BANIAGA JOSE M & MARTINA E	2010-0130	THE VINEYARD
077-400-031	\$124.92	HUTSON HARLAN & PEGGY M	2010-0131	THE VINEYARD
077-400-032	\$124.92	TRUJILLO RICARDO & MARIA ISABEL	2010-0132	THE VINEYARD
077-400-033	\$124.92	GONZALEZ RIGOBERTO	2010-0133	THE VINEYARD
077-400-034	\$124.92	MENDES ANTHONY R	2010-0134	THE VINEYARD
077-400-035	\$124.92	VALDOVINOS UBALDO	2010-0135	THE VINEYARD
077-400-036	\$124.92	EKEMA KENDALL	2010-0136	THE VINEYARD
077-400-037	\$124.92	BROOKS HAROLD E & IPHAGENIA (TRS)	2010-0137	THE VINEYARD
077-400-038	\$124.92	VANG MO LEE & BAO CHA	2010-0138	THE VINEYARD
077-400-039	\$124.92	FONG KENT	2010-0139	THE VINEYARD
077-400-040	\$124.92	ROSS JASON C & KIMBERLY R	2010-0140	THE VINEYARD
077-400-041	\$124.92	MORRIS ROBERT B & BEVERLY A (TRS)	2010-0141	THE VINEYARD
077-400-042	\$124.92	SOHL WILLIAM A & JILL C	2010-0142	THE VINEYARD
077-400-043	\$124.92	PORTERFIELD TIFFANIE & KEVIN	2010-0143	THE VINEYARD
077-400-044	\$124.92	LA GRACE NIKKI & ROBERT	2010-0144	THE VINEYARD

Exhibit "C"

Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 2010-01
The Vineyard

APN #	Assessment	Owner	Lot #	District
077-400-045	\$124.92	DE LA CRUZ ERIC & DAWN M	2010-0145	THE VINEYARD
077-400-046	\$124.92	CAMPBELL JAMES P & MINDA	2010-0146	THE VINEYARD
077-400-047	\$124.92	TEMMERMAN DIETER & KATIE	2010-0147	THE VINEYARD
077-400-048	\$124.92	BURRELL SEAN M & SONNI L	2010-0148	THE VINEYARD
077-400-049	\$124.92	FLORES HORACIO G & ELEANOR	2010-0149	THE VINEYARD
077-400-050	\$124.92	STOW MICHAEL J & CHRISTINE M	2010-0150	THE VINEYARD
077-400-051	\$124.92	MCCORD BRAD & JANIS	2010-0151	THE VINEYARD
077-400-052	\$124.92	REYES RICARDO	2010-0152	THE VINEYARD
077-400-053	\$124.92	CASILLAS CHRISTOHER L & OLGA M	2010-0153	THE VINEYARD
077-400-054	\$124.92	JAMKE C/O JOHN MYRTAKIS	2010-0154	THE VINEYARD
077-400-055	\$124.92	MONGE STEPHEN J & JENNIFER (TRS)	2010-0155	THE VINEYARD
077-400-056	\$124.92	VAGIM JASON P & LORI K	2010-0156	THE VINEYARD
077-400-057	\$124.92	SENIOR ROY F & VIRGINIA I	2010-0157	THE VINEYARD
077-400-058	\$124.92	HOOVER RICH & LISA	2010-0158	THE VINEYARD
077-400-059	\$124.92	ELMER DANIEL W & AMY M	2010-0159	THE VINEYARD
077-400-060	\$124.92	RUBINGER ANDY & LEIGH ANN	2010-0160	THE VINEYARD
077-400-061	\$124.92	REARDON JONAH & JULIE	2010-0161	THE VINEYARD
077-400-062	\$124.92	MARTINEZ MARIO & SHANNON	2010-0162	THE VINEYARD
077-400-063	\$124.92	KEOGH EDWARD T	2010-0163	THE VINEYARD
077-400-064	\$124.92	AINUDDIN BONNA EVANS	2010-0164	THE VINEYARD
077-400-065	\$124.92	LONG ALLEN D	2010-0165	THE VINEYARD
077-400-066	\$124.92	GARCIA RAFAEL L & AURORA M	2010-0166	THE VINEYARD
077-400-067	\$124.92	FRAKES ROY L & JANIS E	2010-0167	THE VINEYARD
077-400-068	\$124.92	SALGADO JESS R C/O FRED M REISER	2010-0168	THE VINEYARD

Exhibit "C"

Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 2010-01
The Vineyard

General Description

This Assessment District (District) is located on the west side of Akers Street approximately 900 feet south of Riggan Avenue. Exhibit "A" is a map of Assessment District 2010-01. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls and any other applicable equipment or improvements. The maintenance of irrigation systems and block includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The total number lots within the district is 68.

Determination of Benefit

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

Method of Apportionment

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

Estimated Costs

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

Exhibit "C"

Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 2010-01
The Vineyard

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
Turf Area	Sq. Ft.	4175	\$0.115	\$480.13
Shrub Area	Sq. Ft.	6595	\$0.115	\$758.43
Water	Sq. Ft.	10770	\$0.050	\$538.50
Electricity	Sq. Ft.	10770	\$0.008	\$86.16
Trees In Landscape Lots	Each	35	\$25.00	\$875.00
Parkway Street Trees	Each	100	\$25.00	\$2,500.00
Street Lights	Each	12	\$105.00	\$1,260.00
Project Management Costs	Lots	68	\$18.00	\$1,224.00
				<hr/>
TOTAL				\$7,722.21
10% Reserve Fund				\$772.22
				<hr/>
GRAND TOTAL				\$8,494.43
COST PER LOT				\$124.92

Annual Cost Increase

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

$$A_{max} \text{ for any given year "n"} = (\$8,494.43) (1.05)^{(n-1)}$$

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

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

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

Example 1. The estimated year four cost of maintaining the improvements in the district is \$9,258.93 [a 9% increase over the base year estimated cost of \$8,494.43]. The maximum annual assessment for year four is \$9,833.36

Exhibit "C"

Tax Roll Assessment
Fiscal Year 2010-11
Assessment District No. 2010-01
The Vineyard

(4-1)
[$A_{\max} = (\$8,494.43) (1.05)^{(4-1)}$]. The assessment will be set at \$9,258.93 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$9,598.71 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$8,494.43]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$191.97 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum (4-1) annual assessment for year four is \$9,833.36 [$A_{\max} = (\$8,494.43) (1.05)^{(4-1)}$]. The year four assessment will be set at \$9,598.71 plus the deficit amount of \$191.97 which equals \$9,790.68 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$9,258.93 [a 9% increase over the base year assessment of \$8,494.43] and damage occurred to the masonry wall raising the year five expenses to \$10,363.20 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$10,184.82 (a 10% increase over the previous year) and below the maximum annual assessment of \$10,325.03 (5-1) [$A_{\max} = (\$8,494.43) (1.05)^{(5-1)}$]. The difference of \$178.38 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

City Engineer Certification

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

Douglas S. Damko
for City Engineer

RCE 59445

Date

Attachment 2



City of Visalia
707 W. Acequia Ave
Visalia, CA 93291

April 23, 2010

John and Jane Doe
100 Anywhere Street
VISALIA CA 93291

Subject: To maintain common landscape and lighting in your neighborhood, the City is asking you to approve the formation of a Landscape & Lighting District for your subdivision.

Dear John and Jane Doe:

According to our records, you are the property owner at 100 Anywhere Street, Visalia, CA, located within the Vineyard subdivision. The City of Visalia is proposing that a Landscape and Lighting District be created for your subdivision to provide funding to maintain the subdivision's common turf, shrub area, trees, and street lighting (see shaded areas on enclosed map). In addition, the proposed Landscape and Lighting District will provide for the maintenance of the subdivision entrance wall and abatement of graffiti.

Typically, the Landscape and Lighting District is created by the developer of the subdivision before homes are sold. Through an oversight, the formation of the District for your subdivision was not done. As a result, the City has been maintaining the area since 2003 and has not collected any assessments to fund the maintenance. Although the City has paid the costs in the past, they cannot continue to do so.

Enclosed is a copy of the engineer's report for the proposed Vineyard Landscape and Lighting District. The engineer's report gives a general description of the District and explains the determination of the benefit, method of apportionment, and estimates costs for maintaining the District. In summary, the subdivision is comprised of 68 lots, with estimated costs to maintain the improvements in the Landscape & Lighting District totaling \$8,494.43 per year. The initial annual per lot assessment will be \$124.92, or \$10.41 per month, which will be placed on your property tax bill. As explained in the engineers report, the annual assessment is limited to actual costs and may not increase more than 10% per year.

Proposition 218 requires local agencies to get approval from the property owners for increases in property fees not previously agreed upon. Enclosed is a ballot which gives you, the property owner, certain options:

1. Yes, I approve the formation of the Landscape and Lighting District and the initial benefit assessment of \$124.92 which will be placed on my property tax bill annually. This

benefit assessment will allow the City to continue to maintain the subject improvements within the proposed Vineyard Landscape and Lighting District.

2. No, I do not approve of the formation of the Landscape and Lighting District and the benefit assessment of \$124.92. I understand that if the Landscape and Lighting District is not approved and formed, the City will lack the necessary funding to maintain the improvements in the Vineyard District. This may result in the replacing of turf and shrubs with low or no maintenance landscaping.

Please consider the enclosed documents, which include a ballot form, an engineer's report for the Vineyard District, and a return envelope.

We invite you to attend one of the scheduled **informational meetings on Thursday, May 6, 2010 or Wednesday, May 19, 2010** at the City Council Chambers at 707 W. Acequia from 5:30 to 6:00 pm. or, if you prefer, please contact Jason Montgomery, Financial Analyst at 713-4425 or by email at jmontgomery@ci.visalia.ca.us Thank you for your consideration.

Public Hearing

The Public Hearing for this proposal will be held on Monday, June 7, 2010 in the City Council Chambers at 707 W. Acequia, Visalia CA., and is scheduled at the beginning of the City Council Regular Session, at approximately 7:00pm. The ballots will be counted and the results delivered to Council at the end of the Regular Session of the City Council Meeting that same evening. At this meeting, affected citizens will have an opportunity to speak to Council, and may also change their ballot vote if desired.

City of Visalia City Clerk's Office
425 E. Oak Ave. Suite 301
Visalia, CA 93291

June 3, 2010

City of Visalia City Clerk's Office
425 E. Oak Ave. Suite 301
Visalia, CA 93291

Attn: **Vineyard, 2010-01** District ballot

BALLOT INSTRUCTIONS

Completion and Return Instructions:

1. Fill out the ballot at the bottom of this page. Be sure to mark your choice, sign, and date the ballot **(the ballot will not be counted without your signature)**
2. Fold this page so the addresses above are visible.
3. Insert this page into the provided return envelope so the Clerk's address is visible through the window of the envelope.
4. Place appropriate postage on the return envelope and mail it.
5. In order to be counted, the ballot must arrive at the above address (City Clerk's Office) on or before 5:00 pm, June 7, 2010.
6. ALTERNATIVE DELIVERY: you may also hand deliver the ballot to the City Clerk's office at 425 E. Oak Ave. Suite 301, on or before 5:00 pm on June 7, 2010. If delivered in person, the ballot **must** be in a sealed envelope, or it cannot be accepted.

If you have any question or concerns about the ballot process, formation of the Landscape and Lighting District, or benefit assessment, we invite you to attend one of the scheduled informational meetings on Thursday, May 6, 2010 or Wednesday, May 19, 2010 at the City Council Chambers at 707 W. Acequia from 5:30 to 6:00 pm. or, if you prefer, please contact Jason Montgomery, Financial Analyst at (559) 713-4425 or by email at jmontgomery@ci.visalia.ca.us

BALLOT

Proposal: Approve the formation of the Vineyard Landscape and Lighting District and the initial benefit assessment of \$124.92 which will be placed on my property tax bill annually. This benefit assessment will allow the City to maintain the subject improvements within the proposed Vineyard Landscape and Lighting District.

John and Jane Doe, owning property located at 100 Anywhere Street in the Vineyard District:

(Check one)

APPROVES

DISAPPROVES

(Property Owner Signature)

(Date)

Engineer's Report
Assessment District No. 2010-01
The Vineyard

General Description

This Assessment District (District) is located on the west side of Akers Street approximately 900 feet south of Riggin Avenue. Exhibit "A" is a map of Assessment District 2010-01. This District includes the maintenance of turf areas, shrub areas, irrigation systems, trees, block walls and any other applicable equipment or improvements. The maintenance of irrigation systems and block includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing any acts of vandalism (graffiti, theft or damage) that may occur. The total number lots within the district is 68.

Determination of Benefit

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

Method of Apportionment

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

Estimated Costs

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

Engineer's Report
 Assessment District No. 2010-01
 The Vineyard

The quantities and estimated costs are as follows:

<u>Description</u>	<u>Unit</u>	<u>Amount</u>	<u>Cost per unit</u>	<u>Total Cost</u>
Turf Area	Sq. Ft.	4175	\$0.115	\$480.13
Shrub Area	Sq. Ft.	6595	\$0.115	\$758.43
Water	Sq. Ft.	10770	\$0.050	\$538.50
Electricity	Sq. Ft.	10770	\$0.008	\$86.16
Trees In Landscape Lots	Each	35	\$25.00	\$875.00
Parkway Street Trees	Each	100	\$25.00	\$2,500.00
Street Lights	Each	12	\$105.00	\$1,260.00
Project Management Costs	Lots	68	\$18.00	\$1,224.00
				<hr/>
TOTAL				\$7,722.21
10% Reserve Fund				\$772.22
				<hr/>
GRAND TOTAL				<u>\$8,494.43</u>
COST PER LOT				<u>\$124.92</u>

Annual Cost Increase

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

$$A_{max} \text{ for any given year "n"} = (\$8,494.43) (1.05)^{(n-1)}$$

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

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

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

Engineer's Report
Assessment District No. 2010-01
The Vineyard

Example 1. The estimated year four cost of maintaining the improvements in the district is \$9,258.93 [a 9% increase over the base year estimated cost of \$8,494.43]. The maximum annual assessment for year four is \$9,833.36.

$[A_{\max} = (\$8,494.43) (1.05)^{(4-1)}]$. The assessment will be set at \$9,258.93 because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$9,598.71 [a 7% increase over the previous year assessment and a 13.0% increase over the base year estimated cost of \$8,494.43]. The reserve fund is determined to be at a level of 8% of the estimated year four cost of maintaining the improvements in the district. An amount of \$191.97 will restore the reserve fund to a level of 10%. This amount is recognized as a deficit. The maximum

annual assessment for year four is \$9,833.36 $[A_{\max} = (\$8,494.43) (1.05)^{(4-1)}]$. The year four assessment will be set at \$9,598.71 plus the deficit amount of \$191.97 which equals \$9,790.68 [a 9% increase over the previous year assessment] because it is less than the maximum annual assessment and less than the 10% maximum annual increase.

Example 3. The estimated year four cost of maintaining the improvements in the district is \$9,258.93 [a 9% increase over the base year assessment of \$8,494.43] and damage occurred to the masonry wall raising the year five expenses to \$10,363.20 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$10,184.82 (a 10% increase over the previous year) and below the maximum annual assessment of \$10,325.03

$[A_{\max} = (\$8,494.43) (1.05)^{(5-1)}]$. The difference of \$178.38 is recognized as a deficit and will be carried over into future years' assessments until the masonry wall repair expenses are fully paid.

City Engineer Certification

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

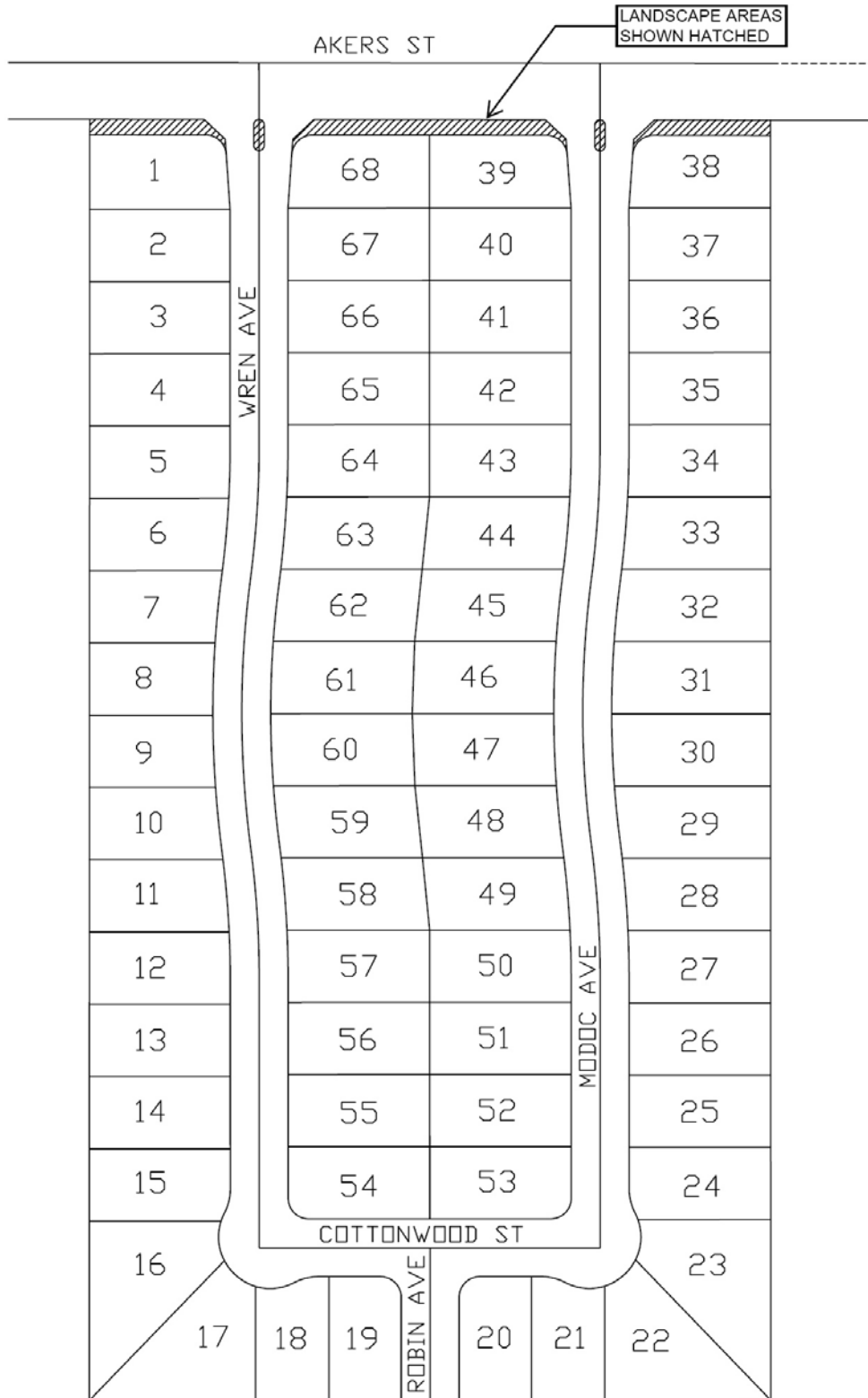
Douglas S. Damko
for City Engineer

RCE 59445

Date

Landscape Location Diagram

Assessment District No. 2010-01
The Vineyard



Attachment 3

