

# 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

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Tuesday, January 18, 2011

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.

### INTRODUCTION OF NEWLY PROMOTED OFFICERS

Lieutenant Jeff McIntosh and Lieutenant Steve Phillips

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



1. Review of the City's response to the series of winter storms that impacted our community from December 18 through December 29, 2010 and appropriation of \$968,000 to fund emergency response, and approve the process to request emergency reimbursement through the State of California and/or the Federal Government. **Receive public comment.**
2. Annual Operations and Maintenance Report on the Visalia Rawhide Baseball Club for 2010. **Receive public comment.**
3. Receive information, hear public comment and provide direction to City staff regarding the following:
  - a) The development of a "Neighborhood Traffic Management Program (NTMP)"
  - b) Application of the Manual on Uniform Traffic Control Device's (MUTCD) "Multi-way Stop Sign Applications"
  - c) Direct staff to develop a City Policy to process street closure requests made by residents
  - d) Direct staff to proceed with the traffic engineering analysis and public outreach necessary to develop a potential traffic calming "pilot project" ("Buena Vista Avenue neighborhood" within the Marseille Subdivision).

*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 – Existing Litigation (G.C. 54956.9)  
Name of Case: Cody Pendleton v. City of Visalia, et. al. - TCSC 10-235906
5. Conference with Real Property Negotiators (G.C. 54956.8)  
Property: Portion of APN: 081-020-042, 043, 044, 060, 082 and 083 (No site address available);  
and 08-020-076 (No site address available).  
Under Negotiation: Consideration and approval of appraisals; Authority to negotiate price,  
terms, and conditions of potential purchase.  
Negotiating Parties for Landowners: Alice I. Roye and her representative Thomas Hornburg;  
Old Towne Condominiums and its representatives Lisa Mochizuki, and Harvey May.  
Negotiating Parties for City: Steve Salomon, Adam Ennis, Alex M. Peltzer, James Koontz;
6. Conference with Real Property Negotiators (G.C. 54956.8)  
Property: 3.43 acres located at the northeast corner of Road 68 and Caldwell Ave (Ave. 280)  
Under Negotiation: potential acquisition  
Negotiating Parties for City: Steve Salomon, Mike Olmos, Chris Tavaraz  
Negotiating Parties for Landowner: Robert Groeber for Visalia Unified School District
7. Public Employee Performance Evaluation (GC 54957)  
Title: City Manager
8. Conference with Real Property Negotiators (GC 54956.8)  
Property: SW Corner of Roeben Avenue and Tulare APN # 087-010-005  
Negotiating Parties: Mark Nelson, Alex Peltzer, Ron and Rosalinda Vander Weerd  
Under Negotiations: Terms and Conditions
9. Conference with Legal Counsel – Existing Litigation (G.C. 54956.9)  
Name of Case: Citizens for Responsible Planning v. City of Visalia - TCSC 10-240450
10. Conference with Legal Counsel – Existing Litigation (G.C. 54956.9)  
Name of Case: Kevin Long and Teamsters Joint Council 7 v. City of Visalia - TCSC 10-240546

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

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Steven Elliott, Grace Community Church

**SPECIAL PRESENTATIONS/RECOGNITION**

- Announcement of Council Member Steve Nelsen’s appointment to the California Partnership for the San Joaquin Valley

**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.*

11. **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) Second reading and adoption Ordinance authorizing the Grant of Easement to California Service Company for a non-exclusive easement in gross for the conveyance, distribution and/or storage of water on a portion of City owned properties (APN #'s 103-020-021 and 103-020-059) and authorization for the City Manager to execute the grant of easement. **Ordinance 2010-21 required.**
- c) Second reading and adoption of Ordinance authorizing the contract amendment for Police and Fire sworn/safety personnel between the City of Visalia and the California Public Employees' Retirement System (CalPERS). **Ordinance 2010-22 required.**
- d) Appointment of Tracy Harrell to the Transit Advisory Committee.
- e) Appointment of Robert Doi and Benjamin Filiponi to the Parks and Recreation Commission as alternate members
- f) Appointment of Steven Koch and alternate Joshua Hickey to the Waterways and Trails Committee.
- g) Appointment of Jesus Gutierrez to the Historic Preservation Advisory Committee.
- h) Receive, review, and file the 2009-10 Impact Fee Report as required by State Law.
- i) Authorize the City Manager to accept a donation from the Friends of Visalia Police Canine for the purchase and training of a police canine.
- j) Authorization to initiate a process to solicit proposals from qualified firms to provide State-level legislative advocacy services for the City of Visalia.
- k) Award contract for the purchase of four (4) new marked Police patrol vehicles to McPeeks Dodge in the amount of \$197,016.
- l) Authorization to accept an "Irrevocable Offer to Dedicate Real Property" for Tulare Avenue, Vista Street and McAuliff Street right-of-way for roadway purposes as offered per Vista Heights Subdivision Map, generally located on the east side of Vista Street alignment, the north side of Tulare Avenue alignment and on the west side of McAuliff Street. **Resolution 2011-11 required.**
- m) Authorize the City Manager to execute an agreement with TPG Consulting Inc. of Visalia in the amount of \$125,939 to conduct a Downtown Traffic Circulation Study.

- n) Authorization to file Notice of Completion for the Packwood Creek Trail Project from County Center Drive to 1,100 ft east of Mooney Blvd, Project No. 3011-00000-720000-0-9915 with a final cost of \$500,264.34.
- o) Authorization to file a Phase 1 Notice of Completion for Main Street Promenade (Site Plan 09-108), located on the north side of Main Street between Bridge Street and Santa Fe Street. (APN 094-294-011 and 012)
- p) Authorize the City Manager to execute an agreement with Republic ITS, Inc., and award a construction contract in the amount of \$141,353 to install 1,323 LED (light emitting diode) lamps at 78 signalized intersections.
- q) Designate and authorizing signatories for all City banks. **Resolution 2011-02 required.**
- r) Authorization for the City Manager to sign the Task Agreement with the National Park Service (NPS) including a payment to the City of \$1,068,778, an annual agreement that is needed to operate the 2011 season of the internal Sequoia Shuttle service.
- s) Request authorization to award a construction contract and authorize the City Manager to execute an agreement for the “Underground Utility District No.19, Installation of Vaults and Conduits at Walnut Avenue and Mooney Boulevard (SR63)” to the low bidder Western Paving Company, Inc., in the amount of \$347,551.05.

*Convene jointly as the Redevelopment Agency Board and the Visalia City Council:*

## **12. RDA CONSENT CALENDAR**

- a) Authorize the Executive Director of the Redevelopment Agency (RDA) of the City of Visalia to enter into another Land Use Agreement between the RDA and Proteus, Inc. for a period of up to eleven months for purposes of a community garden on RDA owned land. **RDA Resolution 2011-01 required.**

*Adjourn as Visalia City Council and Visalia Redevelopment Agency Board and remain seated as the Visalia City Council.*

**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.*

- 13. **PUBLIC HEARING** - Update on Valley Oaks SPCA Programs and Operations and amend the City’s Rates and Fees for 2010-11 and 2011-12 with proposed new fees and adjustments of current fee structure for Animal Licenses and Animal Control Permit fees; and implement an amnesty program that forgives all late fees for new and renewing licensing applicants until July 1, 2011. **Resolution 2011-03 required.**
- 14. **PUBLIC HEARING** and Introduction of Ordinance No. 2011-01, Zoning Text Amendment No. 2010-12; A request by the City of Visalia to amend portions of Title 17 of the Visalia Municipal Code pertaining to proposed changes to Zoning Ordinance Section 17.48 (Subdivision and Kiosk Signs). **Ordinance 2011-01 required.**

15. Receive the Comprehensive Annual Financial Report (CAFR) for the City of Visalia and the Component Unit Financial Statements for the Redevelopment Agency of the City of Visalia for the 2009-10 fiscal year.

**CLOSED SESSION REPORT (if any)**

**Upcoming Council Meetings**

- Monday, January 31, 2011, 6:00 p.m. Town Hall Meeting, Crestwood School, 3001 W. Whitendale Ave.
- Friday-Saturday, February 4-5, 2011, City Council Annual Workshop; Convention Center, 303 E. Acequia. Friday 12 noon; Saturday 8:00 a.m.
- Monday, February 7, 2011, 4:00 p.m. Work Session, 7:00 p.m. Regular 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](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](mailto:nloliva@ci.visalia.ca.us).*

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

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

**Agenda Item Wording:** Visalia City Council to review the City's response to the series of winter storms that impacted our community from December 18<sup>th</sup> through December 29<sup>th</sup>, 2010 and appropriation of \$968,000 to fund emergency response, and approve the process to request emergency reimbursement through the State of California and/or the Federal Government.

**Deadline for Action:** NA

**Submitting Department:** Fire Department

**Contact Name and Phone Number:**

Mark Nelson, Fire Chief – 713-4220  
Danny Wristen, Battalion Chief – 713-4056

**Department Recommendation:** The Fire Department recommends that the City Council:

1. Review the City's response to the winter storms that occurred in December 2010
2. Appropriate \$968,000 to temporarily fund the response activities
3. Approve identified future CIP items
4. Approve After-Action Improvement recommendations
5. Approve the process to request emergency response reimbursement through the State of California and/or the Federal Government

**Summary/background:** The month of December 2010 will go down in the history books as the wettest December for Visalia ever recorded. Visalia received 6.27 inches of rain, as recorded at the Downtown Fire Station. Over the course of the storms, rainfall amounts were in the 10 year to 25 year storm totals. During the early morning hours of December 19<sup>th</sup>, our community faced several issues that required the activation of the Emergency Operations Center and a Declaration of Local Emergency. The EOC remained open for 5 days to deal with the impact of the storms on the community. Additional rainfall on December 28<sup>th</sup> and 29<sup>th</sup> resulted in a "soft opening" of the Emergency Operations Center in the early morning of December 29<sup>th</sup>. While the storms did present several flooding issues throughout our community, no home or businesses were damaged. The City of Visalia is currently in the process to request reimbursement for our emergency response through both the State of California and the Federal Government.

**Chronology of Events**

**For action by:**

City Council  
 Redev. Agency Bd.  
 VPFA

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time  
(Min.): 20

**Review:**

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

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

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

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

During the week of December 12<sup>th</sup>, the National Weather Service began to discuss the potential of a series of Pacific storms that could impact a large part of California, including the Central Valley. On December 16<sup>th</sup>, City staff met to discuss the potential impacts of these storms and develop preparation plans. As a result of this meeting the City distributed sand and sandbags to four locations throughout the community, ensured adequate staffing for Dispatch, Police Patrol, Fire Operations and Public Works, discussed triggers that would activate the Emergency Operations Center and issued a press release to inform the public regarding the potential storm and location of sandbags.

As heavy rain began to fall on December 18<sup>th</sup>, City staff from Police, Fire and Public Works were actively checking on issues in the community and were evaluating the impact of the storm. On December 19<sup>th</sup> at approximately 3:00am the Visalia Police/Fire Dispatch Center began to receive multiple calls for flooding issues throughout our community. Police, Fire and Public Works employees began to assess the City and found several issues that would require immediate attention and test our response capabilities. City resources were quickly tested with three major issues; the ponding basin at Mineral King and Linwood was full, the ponding basin at Constitution Park (Tulare and Crenshaw) was full and backing up into the neighboring streets, and the ponding basin at Visalia Parkway and Chinowth was also backing up into the neighboring streets. As City crews began to mobilize to mitigate these situations, the Mineral King and Linwood basin began to over flow and impact a business on Mineral King and threatened residential properties on Crenshaw. At approximately 4:15am, Fire Chief Mark Nelson ordered the activation of the Emergency Operations Center (EOC).

The Mineral King and Linwood Basin, know as the Linwood Incident, became the priority and additional crews and equipment were ordered to assist in the mitigation of the flooding. Sand and sandbags were delivered to the site to aid in protecting structures and controlling the movement of water. After the EOC was staffed, several additional orders were placed into the EOC; representatives from Cal Trans and CHP to meet at the Command Post, an excavator to assist in controlling water movement, extra pumps to assist in moving water out of the basin and logistical support for the crews working at the scene. In addition, we requested assistance from Cal Fire to assist in pumping water from the commercial property on Mineral King. As City staff and Cal Trans began to assess the situation, it was determined that the water that was filling the basin was being pumped into the basin from the Cal Trans pumps on Highway 198.

City staff and Cal Trans formulated a plan to deal with the situation which resulted in a closure of Highway 198 for approximately 8 hours. In order to stop the water from overflowing the basin, the pumps for the Highway were turned off. With the pumps turned off, water began to fill the section of Highway 198 between Akers and Demaree. This allowed City staff to operate the excavator and break the north bank of the ponding basin, which allowed water to flow into the Persian Ditch. After the water level lowered in the basin, the Highway pumps were turned back on and the water was pumped into the basin and ultimately found its way into the Pershing Ditch. City staff remained on scene of the Linwood Incident for over 24 hours and ensured that the situation had been properly mitigated.

Due to the flooding situations that were occurring throughout the community, at approximately 10:00am on December 19<sup>th</sup>, City Manager Steve Salomon made a Declaration of Local Emergency. Tulare County Office of Emergency Services was notified of the Declaration and they sent a representative to assist in our EOC. On December 20<sup>th</sup>, the City Council affirmed the Declaration of Local Emergency at the City Council meeting. This same day, the Tulare County CAO also made a Declaration of Local Emergency for Tulare County, and it was affirmed by the Board of Supervisors on December 21<sup>st</sup>.

The Constitution Park Basin was mitigated by placing a portable pump at the basin and pumping the water down. Other than monitoring the water level and placing Flooded Signs, no other action was taken.

Over the next several days, rain continued to fall and we continued to have isolated incidents throughout the community. The following is a list of the other major incidents.

- Logan and Denton – full ponding basin backing up into the neighborhood
- Damsen West of Chinowth – water in street threatening several residences
- Laura and Gowdy – full ponding basin backing up into the neighborhood
- Goshen Ocean – full ponding basin, had to be pumped
- In Shape parking lot – drainage system plugged and inadequate, had to be pumped
- Kent Street in Cobblestone II – monitored, poor drainage due to undeveloped future phase
- Lower Mill Creek, west of Road 88 – water came over the bank and threatened two homes in the County
- Ferguson and Shirk – large sink hole that resulted in a road closure
- West and Caldwell – small sink hole, repaired by Public Works crews
- Evans Ditch at Woodland – Eroding ditch bank, sandbags placed as a temporary fix
- Cherry/Pinkham Park – Basin full, had to be pumped
- Roeben and Buena Vista, temporary basin – pumped to sanitary sewer
- Oval Park Area – slow drainage system, minor road closures
- Downtown Area – slow drainage system
- Court and Shannon Parkway – small sink hole
- Visalia Parkway and Chinowth – small sink hole
- Modoc Basin – full due to Modoc Ditch

The EOC remained open to assist with the impacts of the storm until 3:00pm on Thursday, December 23, 2010. Over the 5 days that the EOC was open, the EOC staff members worked diligently to provide needed resources and logistical support to the field responders. We used the new tracking system “Web EOC” to track the events that took place over the 5 days and issued many press releases to keep the public informed of the situation.

In the early morning hours of December 29<sup>th</sup>, heavy rain began to again impact our community and we developed several flooding issues. Fire Chief Mark Nelson again requested that the EOC be activated, but only to a “soft opening” level. Police, Fire and Public Works crews again began to assess the impacts throughout our community. Several of the issues listed above again became problematic, but they were quickly mitigated by City staff. The EOC was closed at 5:00pm on December 29<sup>th</sup>.

The City of Visalia is currently working with the Tulare County Office of Emergency Services on the process to request reimbursement of our emergency response costs and potentially the public infrastructure damage that occurred as a result of the storms. On December 5<sup>th</sup>, City staff attended a meeting with representatives from Tulare County OES, the California Emergency Management Agency and Federal FEMA. We discussed the process for Emergency Declaration, and the potential for emergency response and public infrastructure reimbursement. Tulare County OES, Cal EMA and FEMA representatives toured many of the sites with public infrastructure damage throughout the County, including our Shirk and Ferguson site. City staff will continue to work with these agencies on the reimbursement process.



## Public Information Officer

Here is a brief overview of the work on the part of the PIOs in the Emergency Operations Center during the recent storm event.

PIO was called to the EOC at 7 am Sunday, Dec. 19.

- First storm update released to media at 7:45 a.m. Subsequent releases followed at 10 a.m., 2:45, 6:30 and 7 pm. A media press conference was held at the site of the Linwood/Mineral King Ponding basin at 11 a.m. with Mayor Bob Link, City Manager Steve Salomon and Fire Chief Mark Nelson. Mayor Link also met with the press at 8 p.m. at the EOC for an update.
- Two Alert TC calls were made to residents in impacted areas.
- Updates were continually posted on the City's website.

Monday, Dec. 20:

- Storm updates were released to media at 8 and 11 a.m.
- Media interviews were given by Mayor Bob Link at 9 and 11 am.
- PIO Loliva and Caviglia were available for media inquiries throughout the day. Caviglia was available for media inquiries through Dec. 23.

Wednesday, Dec. 29th:

- EOC was on soft activation overnight on Dec. 29th.
- Storm update was issued at 10 a.m. Dec. 29 to media/posted on website.
- Copies of Storm updates are available

## Drainage System Performance

The City's storm drainage system operated at the upper limits of its capacity during the storms, but overall performed well. Most of the storm water is collected and stored in storm drain basins. The storm water collection system does not use the same pipes as the sanitary sewer system. Some of the older neighborhoods have collection systems that flow directly into canals or creeks. Many of the basins have pumps or overflows that transfer the water into canals when the basins get over half full. This design buffers the flow into the channels and helps to keep the channels from exceeding their capacity.

The City has over forty basins. Many of the basins were full or almost full by Sunday morning, December 19<sup>th</sup>. Ten trailer mounted pumps were rented and placed throughout the City to lower the levels in the basins. Most of the basins were pumped into creeks or canals. Staff was able to lower the basins enough to accommodate the rain that fell during the later storm events. Some of the basins would have overflowed if the portable pumps weren't used.

There were several areas in the City that experienced localized street flooding. Most of the problems were caused by inlets that were blocked by leaves and trash. In many areas the water drained once the leaves were cleared. Some older areas of the City have poorly

designed collection systems (small pipes) that were overwhelmed by the amount of rainfall. Portable pumps were used to transfer the water into canals, fields, and sometimes into the sanitary sewer system. Improvements are planned in several of these neighborhoods to prevent future problems. In some of the areas recently annexed from the County, substantial improvements are needed. Storm drain revenues are not adequate to make all of the necessary improvements in a single budget year. Many phased projects will be proposed for funding over the next ten or twelve years.

Some basins did reach capacity and overflowed into the streets. The most substantial overflow was at McDermott Park (on Mineral King, west of Linwood). This basin holds storm water from State Route 198 and does not serve any neighborhoods. Two large pumps that remove water from the freeway had to be turned off until some of the water in the basin could be pumped into Persian Canal. Route 198 was closed and traffic was diverted onto Noble and Mineral King until the pumps could be turned back on. Fortunately, the problems occurred on a Sunday afternoon when traffic volumes were low. A small temporary channel has been constructed between the basin and Persian Canal to prevent another overflow until a permanent repair can be completed. City staff is working with Cal Trans to determine what improvements are needed to prevent future problems at this basin.

Several small basins also overflowed or reached capacity but did not cause significant damage to private property. In most cases, these basins overflowed because lift station pumps were not able to move the water from the basins to canals. All of the pumps did function, but some were moving water very slow because the pumps became plugged with leaves. City staff will evaluate each of these pumps to determine if they are properly sized. Some of the pump inlets need improved strainers to reduce the debris buildup. Most of the City's basins reach capacity before they actually overflow their banks. These basins are full when the level in the basin reaches the elevation of the lowest curb inlet. At this elevation, the lower curb inlets stop accepting water and the streets start to flood. Portable pumps were used at several of the smaller basins to drain the water into canals. Most of the sites were dry after a couple of hours of pumping. The basins at Constitution Park and Cherry Meadows Park took longer to drain down to acceptable levels (less than 48 hours).

Most of the canals and creeks were running full during the storm. Water was being released from Terminus Dam into St. Johns River and the lower Kaweah. Kaweah Delta Water Conservation District and Tulare Irrigation District cooperated with the City to provide capacity in the channels for City storm water runoff. The ability to manage releases from Terminus Dam helped significantly. Within the City limits, none of the channels overtopped their banks. Mill Creek did overtop its bank in one location near Road 88. There were some bank erosion problems on Evans Ditch near Woodland that were caused by high flows. The water was directed to other channels and the bank was fortified with sandbags and plastic sheeting as a temporary repair. Concrete wing walls need to be constructed on both sides of the Woodland Bridge to prevent this problem from occurring in the future.

## **Engineering Damage Assessment**

There were several areas in the City where damage occurred due to the storms experienced in December 2010. There were four main types of damage experienced:

1. Pavement subsidence in street areas, primarily along existing underground pipelines alignments,

2. Removal of basin banks and damage to landscaping, irrigation and mulch areas at McDermott Park to facilitate immediate drainage of the ponding basin,
3. Erosion of the south bank of Evan's Ditch on the west side of Woodland Street and the south bank of Mill Creek east of Road 88,
4. Pavement potholes.

The majority of the damage that occurred was pavement subsidence in several streets along existing underground pipeline alignments. The location of the largest amount of pavement subsidence occurred along the east side of Shirk Street at Ferguson Avenue. Pavement subsided up to about three feet in several areas along a 1000 foot, existing sanitary sewer trunkline alignment. The subsided areas ranged from about 5 to 20 feet in diameter. The subsidence began occurring on December 20<sup>th</sup>, with traffic control being placed around the subsided areas to divert traffic away from the damaged roadway. Ferguson Avenue on the east side of Shirk Street was closed on December 21<sup>st</sup> due to increasing subsidence in the roadway. In addition, a temporary exit at the west gate of Fire Station 55 was constructed to provide an exit to the west since Ferguson Avenue had been closed. The damage in this area should be repaired as soon as practicable to provide a safe and unthreatened exit to the west for Fire Station 55. The remaining pavement subsidence experienced in the City was relatively isolated and minor compared to that at Shirk Street and Ferguson Avenue. However the type of damage was similar. Repair costs for the subsided areas is estimated to be about \$650,000 to \$750,000.

The reason that this type of damage was experienced is the City's storm drain system is designed for standard gravity operation based on a particular "design" level of storm. When a storm, or series of storms, occurs that exceeds the City's "design" level storm, the storm water basins become full which backs up the storm water into storm drain pipes, manholes and storm drain inlets. The backed up storm drain water then pressurizes the storm drain system. Storm drain systems are typically designed and operated as gravity flow drainage systems that are not intended to be under pressure. If the water pressure becomes high enough the storm drain system can leak storm water into the surrounding soils. The leaked water can migrate along backfilled trenches and saturate the backfill soils. When the backfill soils become saturated trench settlement can occur, even though they were compacted during installation.

Due to the overflow of the storm water basin at McDermott Park, a temporary drainage trench was constructed from the basin to Persian Ditch to drain the basin. To construct the temporary drainage ditch the bank of the basin had to be breached and the landscaping and irrigation was damaged. The damaged areas will require repair to return the basin and park to it's previous condition. In addition, some mitigation work such as a basin overflow pipe may need to be installed when the area is repaired. The estimated costs of these repairs is about \$100,000. A permanent pipe connection to the Persian Ditch will require coordination with the Ditch Company.

Erosion of the Evan's Ditch and Mill Creek banks occurred due to the saturated bank soils and excessive storm flows. The Evan's ditch erosion occurred on the south side of the ditch immediately west of the Woodland Street Overcrossing. The saturated bank soils sloughed and eroded away about 3 feet into the bank for a length of about 40 feet. The sloughing and erosion had extended to within a couple of feet of an end pole and guy anchor of an overhead electrical and communication distribution line. The sloughed and eroded bank was sand bagged to minimize any additional erosion until the bank could be repaired and wing walls constructed to mitigate the potential for future sloughing and erosion in this area. An approximately 100 foot long section of the south bank of Mill Creek east of Road 88 was overtopped by storm flows and eroded the top 3 to 4 feet of bank. The storm water flowed over the bank and between two

adjacent homes to the southwest of the bank area. Only minor damage occurred at the garage of one of the homes. This section of bank will need to be repaired by preparing the site, importing fill soils and compacting them in place to rebuild the bank. The estimated cost of the above bank repairs is about \$75,000.

Several pot holes occurred in the street paving around the city due to the high level of storm runoff and subsequent saturation of the subgrade soils. The City street crews were locating and repairing the potholes as they were encountered. The estimated cost of these repairs is about \$4,000 to \$5,000.

In addition to damage repairs, several improvements have been identified to assist in mitigating potential future storm damage. These consist of constructing and/or upsizing storm drain mains in areas susceptible to flooding, regrading of areas to accept excessive storm water, expanding existing storm water basins and providing pump quick connect pipelines and gauge poles at storm water basins. The cost of these mitigation measures are estimated to be about \$250,000 to \$350,000.

### **Capital Improvement Program Items – Recommendations**

The following is a list of items that were identified in our After-Action Report that need to be considered for future projects. Some of the items are related to public infrastructure damage that will need to be repaired and may be eligible for reimbursement through either the State or Federal governments. Many of the other items are being recommended for future consideration because they were identified as issues during our emergency response. City staff will continue to work on all of these items and will bring a report back to the City Council no later than March 21, 2011 for further direction from the City Council.

- Improve the Goshen Ocean Basin – Evaluate alternatives to expand capacity
- Improve the Kent Street drainage in Cobblestone II – Develop a temporary plan to improve drainage
- Lower Mill Creek east of Road 88 – Approximately \$75,000 to repair
- Ferguson and Shirk Sinkhole – Approximately \$650,000 to repair
- Linwood and Mineral King Basin – Approximately \$100,000 to repair – More work to do with Cal Trans
- Evans Ditch at Woodland – Approximately \$50,000 to repair
- Oval Park Area – Poor drainage in this area, develop long term plans to fix
- Downtown Area – Poor drainage area, develop long term plans to fix
- Mill Creek – The waterway is becoming increasingly vulnerable to problems, develop long term plans to decrease our use of Mill Creek and/or increase capacity
- Metal Trench Plates – Used for emergency repairs to roadways – Public Works has already purchased 8 for \$8,000
- Portable Pumps – The City currently has 3 portable pumps, these are used to assist in the rapid removal of water from basins or other problem areas, and we recommend the purchase of 7 additional pumps with hose in the amount of approximately \$90,000
- 4 X 4 Vehicles – During the storm we found that the conventional 2 wheel drive trucks are susceptible to becoming stuck when moving portable pumps into position. As Wastewater replaces vehicles we recommend that 4 X 4 vehicles be considered.
- 300 Gallon Portable Fuel Tank with Pump – During the storm we found the need to refuel the portable pumps that were running for sometimes for over 24 hours straight. We utilized private companies to refuel the pumps. We recommend purchase of the Portable Fuel Tank with Pump to be able to handle this task with City staff.

- Install Permanent Pipe Connections for Ponding Basin Pumping – This item would allow for easy access for portable pumps for use during pumping operations – locations to be determined, more study for cost
- Modoc Basin – Modify the drainage system to prevent backflow into the neighboring streets
- Damsen West of Chinowth – Public Works has evaluated the system and removed debris from the system
- Install an Emergency Generator at the Fire Station 55 Training Room and move the primary EOC to this location – Approximately \$25,000 – The current EOC is in the basement of the Public Safety Building, is not readily accessible and poorly configured for EOC purposes
- Review all funds related to Storm Water Management. Make recommendations to best apply these funds for future use

**Financial Section**

Finance prepared a preliminary damage estimate for the County Office of Emergency Services on December 21<sup>st</sup> 2010. Table I, Preliminary Damage Assessment Estimate, summarizes the total into four categories: public and private damage, personnel time, sandbags, and pumps rentals. The rough estimate totaled \$953,850.

Table I  
Preliminary Damage Assessment Estimate

<b>Damage Assessments</b>		
\$	850,500	Any damage to the buildings, roads power grids, road ways, levees, parks, infrastructures, ect
\$	29,650	Monetary value of time spent by public utilities, law enforcement, Fire or EMS of storm related calls.
\$	14,450	Cost associated with sand bags both filling and deploying
\$	59,250	Monetary value of pumps usage for levees, storm drains, ect.
<b>Total</b>	<b>\$ 953,850</b>	

An updated estimate was sent to the County Office of Emergency Services on December 30<sup>th</sup> 2010. Table II, Damage Assessment Form, summarizes the total into two categories: emergency work subdivided into two subcategories and permanent work, subdivided into five subcategories. The updated forms at this time increased the estimate to \$967,625.

Table II  
Damage Assessment Form

**DAMAGE ASSESSMENT FORM SUMMARY**

<b>Emergency Work</b>	
\$ 128,125	CATEGORY A: DEBRIS REMOVAL
\$ 1,500	CATEGORY B: EMERGENCY PROTECTIVE MEASURES
\$ 129,625	Total
<b>Permanent Work</b>	
\$ 86,000	CATEGORY C: ROADS AND BRIDGES
\$ 100,000	CATEGORY D: WATER CONTROL FACILITY
\$ -	CATEGORY E: BUILDINGS AND EQUIPMENT
\$ 650,000	CATEGORY F: UTILITIES
\$ 2,000	CATEGORY G: PARKS, RECREATIONAL FACILITIES, AND OTHER FACILITIES
\$ 838,000	Total
<b>\$ 967,625</b>	<b>GRAND TOTAL</b>

Operational budgets have been stretched to meet the emergency response. Staff recommends funding the response from emergency reserves in the General Fund in the following amounts:

Emergency Response:	\$130,000
Capital Projects:	<u>\$838,000</u>
Total	\$968,000

City Staff believes a large portion of these monies will be reimbursed. Thus, this appropriation may be a temporary measure.

**Private Costs**

After evaluation of five homes it was determined that there was no damage. Code enforcement also evaluated a ceiling that fell in and determined that the homeowner had already begun repairs to fix the leaky roof. The tenants declined an offer from the homeowner to stay in a Motel.

**Funding for Storm Drainage Maintenance and Flood Control**

The City has several sources of funding for storm drains, each dedicated for a specific purpose. The several fees are:

- **Storm Drainage Fee** billed at \$0.24 per 1000 square feet per month with a parcel. This is the main revenue source for maintaining the City's Storm Drains. Table III, Storm Sewer Operations and Maintenance Fund – 4812, shows the current status of this fund. Given the current plan, the fund has insufficient resources to cover its current plan without additional projects.

Table III

**Storm Sewer Operations & Maintenance - 4812  
2010/11 - 2015/16 Capital Improvement Program**

This fund includes monies generated from storm sewer user fees. The fees for this fund are collected with the monthly utility bill and each parcel is charged \$.24 per 1,000 sq. ft. Funds are to be used only for operation, maintenance, and improvements.

<b>Executive Summary</b>						
	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Beginning Cash Balance	506,350	207,400	23,500	(307,200)	(406,900)	(652,300)
Storm Sewer User fees	1,151,795	1,185,900	1,221,500	1,258,100	1,295,800	1,334,700
Annual Depreciation for Storm Sewer capital replacement	490,944	424,540	428,800	433,100	437,400	441,800
Interest Earnings (Expense)	6,000	8,000	(10,877)	(12,413)	(16,104)	(17,472)
Misc Revenues	46,963	47,500	48,000	48,500	49,000	49,500
Operating Expenditures (staff costs, allocations, etc)	(1,688,848)	(1,659,890)	(1,693,088)	(1,726,950)	(1,761,489)	(1,796,718)
Capital Expenditures*	(264,100)	(190,000)	(325,000)	(100,000)	(250,000)	(100,000)
Prior Year Capital Project Carry Forward	(41,700)	-	-	-	-	-
<b>Total Resources Available for Projects</b>	<b>207,404</b>	<b>23,450</b>	<b>(307,164)</b>	<b>(406,862)</b>	<b>(652,293)</b>	<b>(740,490)</b>

In addition to this revenue source, the City also assesses another \$2.47 per utility bill per month for several other purposes as follows:

- \$0.84 Master Plan Improvements – Storm Sewer Construction
- 0.67 Correct Existing Deficiencies – Storm Sewer Deficiency
- 0.48 Waterway Maintenance and Acquisition
- 0.48 Kaweah Reservoir Enlargement – Kaweah Lake Project
  
- \$2.47 Assessments

The Waterways Fund is used to acquire and maintain steam and ditch trail ways through out Visalia. As a result, those resources are not available for Storm Drain projects.

Two funds, Master Plan Improvements and Correcting Deficiencies, have their own challenges. See Table IV, Storm Sewer Construction Fund -1221, and Table V, Storm Sewer Deficiency Fund -1222.

The Storm Sewer Construction Fund's resources are impacted and the Deficiency Fund, which does have resources, was designed to correct prior errors, not newly discovered problems. However, Engineering would like to evaluate the project list to see if any of the proposed projects should be included in this fund.

Finally, the Kaweah Reservoir Enlargement fund was created to pay for improvements at the dam and a small amount for ongoing maintenance, about \$16,000 annually. See Table VI, Kaweah Lake Reservoir Enlargement – 1223.

Table IV

**Storm Sewer Construction Fund - 1221**  
**2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from Storm Sewer impact fees collected at the time of development and a portion of the monthly storm sewer users fees. This fund shares \$.84 of the \$2.47 monthly storm sewer fee with the Wastewater Trunklin construction fund (1231).

<i>Executive Summary</i>						
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash For Capital	872,903	(48,100)	68,300	(569,300)	(52,800)	(1,398,600)
Storm Sewer Impact fees	107,840	111,100	114,400	117,800	121,300	124,900
Storm Sewer Rate	435,965	442,500	449,100	458,100	467,300	476,600
Interest Earnings	10,000	1,300	(21,900)	(2,000)	(53,800)	(52,900)
Operating Expenditures	(22,834)	(23,500)	(24,200)	(24,900)	(25,600)	(26,400)
Capital Expenditures*	(396,000)	(415,000)	(1,155,000)	(32,500)	(1,855,000)	(500,000)
Prior Year Capital Project Carry Forward	(1,055,970)	-	-	-	-	-
<b>Total Resources Available for Future Projects</b>	<b>(48,097)</b>	<b>68,300</b>	<b>(569,300)</b>	<b>(52,800)</b>	<b>(1,398,600)</b>	<b>(1,376,400)</b>

**Table V**

**Storm Sewer Deficiency - 1222**  
**2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from a portion of the monthly storm sewer users fees. This fund receives \$.67 of the \$2.47 monthly storm sewer fee. Funds are to be used for construction of storm sewer facilities to correct existing deficiencies as identified in the Storm Sewer Master Plan.

<i>Executive Summary</i>						
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash	2,083,203	2,053,900	2,181,700	2,362,300	2,556,900	2,766,300
Storm Sewer Fees	350,245	355,500	360,800	368,000	375,400	382,900
Interest Earnings (Expense)	20,300	42,800	90,900	98,300	106,400	115,000
Operating Expenditures	(19,868)	(20,500)	(21,100)	(21,700)	(22,400)	(23,100)
Capital Expenditures	(380,000)	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)
Prior Year Capital Project Carry Forward	(1,645,647)	-	-	-	-	-
<b>Total Resources Available for Projects</b>	<b>2,053,879</b>	<b>2,181,700</b>	<b>2,362,300</b>	<b>2,556,900</b>	<b>2,766,300</b>	<b>2,991,100</b>

**Table VI**

**Kaweah Lake Project - 1223**  
**2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from a portion of the monthly storm sewer users fees. This fund receives \$.48 of the \$2.47 monthly storm sewer fee. Funds are to be used for the Kaweah Lake enlargement & maintenance of the lake.

<i>Executive Summary</i>						
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash	(255,806)	(788,300)	(563,600)	(321,700)	(61,800)	217,000
Kaweah Lake Project Rates	250,943	258,500	266,300	274,300	282,500	291,000
Operating Expenses	(27,699)	(12,100)	(12,000)	(12,000)	(12,000)	(12,000)
Interest Expense	(7,000)	(21,700)	(12,372)	(2,376)	8,348	19,840
Capital Expenditures	-	-	-	-	-	-
Prior Year Capital Project Carry Forward	(748,774)	-	-	-	-	-
<b>Total Resources Available for Kaweah Lake Project</b>	<b>(788,336)</b>	<b>(563,600)</b>	<b>(321,672)</b>	<b>(61,776)</b>	<b>217,048</b>	<b>515,840</b>

***Increasing or Creating new Fees***

The Council could consider revising these fees or creating a new fee to fund needed Storm Water Management improvements. Such a process, however, would require some type of ballot vote, similar to the Lighting and Landscape Maintenance Assessment District votes. All City parcels would be balloted. If funding from either Cal EMA or FEMA does not occur, staff would recommend using the Storm Water Deficiency Fund to make Storm Water improvements. Also, the Kaweah Lake Project appears close to conclusion. Staff will explore and bring back at mid-year report any recommendations necessary to fund Storm System Maintenance and improvements.

**Prior Council/Board Actions:** The City Council approved the Declaration of Local Emergency on December 20, 2010.

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

**Alternatives:** None



**Attachments:** Power Point Presentation

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

1. Review the City's response to the winter storms that occurred in December 2010
2. Appropriate \$968,000 to temporarily fund the response activities
3. Approve identified future CIP items
4. Approve After-Action Improvement recommendations.
5. Approve the process to request emergency response reimbursement through the State of California and/or the Federal Government

***Financial Impact***

**Funding Source:**

Account Number: Emergency Reserves (Call Finance for assistance)

**Budget Recap:**

Total Estimated cost: \$968,000	New Revenue:\$
Amount Budgeted: \$ 0	Lost Revenue:\$
New funding required:\$968,000	New Personnel:\$
Council Policy Change: Yes___	No <u>X</u>

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

**Administrative Services Finance Review (Signature):**

**Others:**



**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: N/A

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

**Meeting Date:** January 18, 2011

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

**Agenda Item Wording:** Annual Operation & Maintenance Report on the Visalia Rawhide Baseball Club For 2010

**Deadline for Action:** N/A

**Submitting Department:** Parks & Recreation Department

**Contact Name and Phone Number:** Vincent Elizondo, Director of Parks & Recreation, 713-4367

**Department Recommendation:**

That the City Council accept this annual operation and maintenance report on the Visalia Rawhide baseball Club; accept public testimony; and provide direction, if any, on the future operation of the baseball park.

**Background Information:**

On December 28, 2007, the City of Visalia entered into a nine (9) year agreement with the TOP OF THE THIRD, INC. to operate the Recreation Park baseball park for the purposes of providing Minor League Baseball in Visalia. Currently, TOP OF THE THIRD, INC. operates the Visalia Rawhide baseball club, the single-A affiliate of the Arizona Diamondbacks and a long-standing member of the California League.

The agreement will terminate on December 31, 2016. TOP OF THE THIRD, INC. has the right to renew this agreement for six (6) years by providing a sixty-day (60) written notice to the City of Visalia prior to the termination of the nine-year agreement.

The 2011 season will mark the third season of Visalia Rawhide baseball since the baseball stadium in Recreation Park was renovated resulting in \$11,500,000 in stadium improvements. The last annual report was provided to the Council in November 2009 providing an overview of the 2009 season.

**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.

## **2010 Visalia Rawhide Baseball Season:**

The Visalia Rawhide participates in the California League, which includes five teams in the Northern Division and five teams in the Southern Division. The Rawhide, members of the Northern Division, finished with a fine 37-33 record in the 1<sup>st</sup> half, and a .500 record in the 2<sup>nd</sup> half at 35-35. Overall, the Rawhide had a winning season of 72-68 in 2010.

In 2010, the Visalia Rawhide attracted an all-time franchise record of 108,681 fans attending games at Recreation Park averaging 1,552 baseball fans per game. This broke the previous record established in 2009 of 105,405 fans in attendance. From 2000 to 2008, the Visalia Oaks averaged 64,547 fans per year. The attendance is calculated using Professional Baseball Guidelines, and is the same for all 200 minor league and major league clubs. The attendance figure includes tickets sold, complimentary tickets, discounted tickets, tickets for major league scouts, etc.

TOP OF THE THIRD, INC. officials attribute the increased attendance numbers to a renovated stadium with much nicer fan amenities; a new brand (Rawhide); and improved marketing efforts.

## **Annual Rent/Ticket Revenue Sharing:**

On February 25, 2008, the City Council amended the agreement with the TOP OF THE THIRD, INC. to initiate the rent and ticket revenue sharing program with the Rawhide from the 2009 season to the 2010 season. This was done due to the change in scope (downsizing) of the original construction project; the uncertainty of timetables related to the construction project; and the belief that some aspects of the construction project would not be fully ready in time for the 2009 season.

**Revenue Sharing** to the City is based on total annual gross receipts of the Rawhide. Examples include all ticket sales; all food and beverage concessions (including alcohol sales); advertising revenue; Rawhide team store revenues, etc. The City receives 5% of total annual gross receipts that exceed \$1 million but are less than \$1.5 million; 7.5% of the amount that exceeds \$1.5 million and is less than \$2 million; and 10% of all revenues that exceed \$2 million.

In 2010, the Rawhide generated \$174,940 in advertising and sponsorships; \$548,861 in ticket sales; and \$529,757 in food, beverage, and souvenir sales for a total Rawhide revenue amount of \$1,253,558. In accordance with the contract, the Rawhide is subject to a 5% tax rate for revenue generated over \$1 million dollars (\$253,558) for a revenue sharing amount of \$12,678.00.

The **Ticket Tax** for 2010 was based on the following formula: \$2 per premium ticket (\$20.00), \$1 per regular priced ticket (\$7.00 to \$15.00 range), and .50 cents for Pasture Lawn (berm) seating (\$5.00 to \$6.00). This ticket tax is for actual tickets sold, and shall not be paid on "complimentary" tickets or traded tickets. Complimentary or traded tickets are limited to no more than 15% of total tickets issued.

In 2010, the Rawhide sold 11,747 Hall of Fame tickets at \$2 each; 36,572 standard tickets at \$1 each; and 10,066 Pasture Lawn (berm) seats at .50 cents each for a grand total of \$65,099.00. The Rawhide also distributed 9,800 tickets as required by Major League baseball for players and scouts; 22,580 tickets were given out for charitable fundraisers and donations; and 17,916 tickets were given in trade and/or complimentary. The total for all of these ticket categories equals 108,681 total tickets.

The amount of \$6,750 in the table below under “**Other Events**” is actual revenue based on non-Rawhide baseball rentals of the ballpark during the non-baseball season through November 30, 2010 of last year. This is an ideal time to lease out the indoor Hall of Fame Club building for private rentals; promote concerts; local high school baseball rentals; charitable events; or other types of special events during the off-season.

And finally, the City continues to work with a local broker (as authorized by the City Council on July 13, 2009) to lease the City managed space of 1,433 sq. ft., located on the first floor of the Giddings Street structure facing the street. The City has had several interested parties and continues to try and negotiate a deal. The estimated annual revenue from leasing this space is estimated to be roughly \$12,000 for 2011.

The following table outlines the Revenue Sharing, Ticket Tax, and Other Events income generated in 2010 in accordance with the Rawhide agreement. The table also provides a Rawhide forecast of projected revenues and attendance for the 2011 calendar year.

As an overall goal, TOP OF THE THIRD, INC. has an objective to work closely with the City of Visalia to enhance the marketing efforts for the ballpark. This includes City assistance with distributing pocket schedules, printed materials, directional signage to the ballpark, etc.

	<b>2010</b>	<b>2011 est.</b>
Rawhide Revenues	\$1,253,558	\$1,320,000
Attendance	108,681	115,000
Revenue Sharing To City	\$12,678	\$16,000
Ticket Tax to City	\$65,099	\$72,000
Other Events	\$6,750	\$12,000
Leasable Space	\$0,000	\$12,000
<b>Total City Revenue</b>	<b>\$ 84,527</b>	<b>\$ 112,000</b>

**Facility Improvements by TOP OF THE THIRD, INC:**

Each year, in accordance with the agreement, the TOP OF THE THIRD, INC. is responsible for making a minimum of \$10,000 worth of improvements to the ballpark. In 2010, the improvements were estimated to be nearly \$62,000. Some examples include new outfield fence improvements; new concession registers and printers; new concession work tables and stainless steel tables; new (additional) freezers; a new PA system for the ticket window; improvements to the batting cages, and many other improvements and services that saved the City costs related to ballpark improvements, maintenance and operations.

**Facility Maintenance & Repairs:**

Each year, in accordance with the agreement, the TOP OF THE THIRD, INC. is responsible to provide the City with financial information related to the field maintenance and repairs of the stadium. The following is a summary of the information provided to the City:

1. Field maintenance and expenses totaled roughly \$72,230 for 2010. These expenses are attributed to the field maintenance salary; irrigation repair; field striping; field light replacements; and general baseball infield grooming for games. Per the agreement, the City pays for the first \$40,000 of operational expenses related to field maintenance and expenses.

2. Facility maintenance and repairs for the ballpark totaled roughly \$80,033 for 2010. These expenses are for air conditioning and heating repairs; electrical repairs; plumbing repairs; painting; and various vandalism repairs (broken windows). Per the agreement, the City pays for the first \$20,000 of operational expenses related to facility maintenance and repairs. The remaining balance can also be credited towards the lessor's annual electrical consumption billing.

### **Utilities:**

Utilities to operate the ballpark include electricity, natural gas, and water (which includes sewer and refuse) charges. The billing period for these utilities is March 15 through September 30 --- i.e. the traditional baseball season. For the 2010 season, the Rawhide accumulated a \$62,090.84 utility (electric) bill; \$1,969.34 for natural gas charges; and \$2,606.20 for water charges. Per the agreement, the City pays for the first \$35,005.08 (adjusted annually by the CPI) of utility electrical charges, meaning the Rawhide will have a total utility liability of \$31,661.30 for the 2010 baseball season. For comparison purposes, the utility liability for the Rawhide in 2009 was \$44,272.78. The savings can be attributed to both the Rawhide and the City looking for ways to reduce overall utility consumption in the stadium.

The City of Visalia is financially responsible for all utility charges during the non-baseball season months of October 1 through March 14.

### **Gould Evans Associates, LC Annual Report On Player Safety:**

Minor League Baseball requires that a playing facility comply with certain minimum baseball playing standards. This is done to assist in the effort to protect players from potential injuries. In many cases, top prospects that come to Visalia have signed contracts worth millions of dollars and the parent club has a strong vested interest to protect their players from getting injured.

On a bi-annual basis, Gould Evans Associates, LC prepares a report on various ballparks throughout the country. In September 2009 the firm presented the City of Visalia with its findings from their 2009 facility audit. In their last report, Gould Evans cited eight areas as major areas of concern. The City continues to work with the Rawhide to try and alleviate these areas of concern. The most significant player safety issue right now continues to be the field lighting for the baseball complex.

Two other areas of concern were addressed this past year with major improvements done to the left field and left center field fencing. These areas were very old and aging and were not improved as part of the major renovation process. The majority of the fencing was replaced in February 2010 --- just in time for the new baseball season. The City contributed \$28,145.00 towards the fence renovation project --- with the Rawhide providing the sweat equity to paint the fence (including the purchase of all paint).

The other area was the playing surface (infield soil and outfield grass) for the players. These playing surfaces have been dramatically improved this past year by the Rawhide staff and volunteers.

### **New Fan Amenities:**

The projects being recommended by the Rawhide for fan comfort include the following by priority:

1. Install a new raised Family Seating Deck area in the "Kids Zone" beyond the right field fence area. The estimated cost of this new structure would be roughly \$120,000.

2. Install a new state-of-the art video scoreboard in left center field for enjoyment by the fans and the players. The new board can be used for announcements, commercials, video replay, highlights and live feeds of other activities around the country, etc. The cost for a new video scoreboard ranges from \$400,000 to \$500,000.
3. Improvements to the existing parking lot north of the ballpark; establishing newer parking lots to the west of the stadium; and working to revitalize the neighborhoods around the ballpark. City staff is currently working with the Rawhide to explore opportunities to improve and/or expand parking around the ballpark. The City's Police Department and Code Enforcement team is also working with the Rawhide to improve the conditions around the ballpark.
4. As identified in the original master plan renovation design for the ballpark, eliminate the dirt mounds behind the backstop and rebuild the grandstand area to include new skyboxes and a new announcer's booth and multi-media area. This is a multi-million dollar project.

City staff will not be making a recommendation to fund any major capital improvement projects as outlined in the current 2010-12 fiscal budget period. However, consideration will be made for minor improvements that may be necessary in relation to safety improvements for the players.

**Attachments:**

Power Point Presentation prepared by President Tom Seidler, Visalia Rawhide

## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 18, 2011

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

**Agenda Item Wording:** Council to receive information, hear public comment and provide direction to City staff regarding the following:

- 1) The development of a "Neighborhood Traffic Management Program (NTMP)"
- 2) Application of the Manual on Uniform Traffic Control Device's (MUTCD) "Multi-way Stop Sign Applications"
- 3) Directing staff to develop a City Policy to process street closure requests made by residents
- 4) Directing staff to proceed with the traffic engineering analysis and public outreach necessary to develop a potential traffic calming "pilot project" ("Buena Vista Avenue neighborhood" within the Marseille Subdivision).

**Deadline for Action:** N/A

**Submitting Department:** Community Development Department

**Contact Name and Phone Number:**

Chris Young, Community Development Director, 713-4392

**Department Recommendation:** Staff requests that the City Council receives this information, hears public comment and provide direction to City staff including the consideration of the following:

- 1) The development of a "Neighborhood Traffic Management Program (NTMP)" (incorporate Council comments and return for possible action at second meeting in February)
- 2) Application of the Manual on Uniform Traffic Control Device's (MUTCD) "Multi-way Stop Sign Applications"
- 3) Directing staff to develop a City Policy to process street closure requests made by residents and bring the policy back to Council at the second meeting in February.
- 4) Directing staff to proceed with the traffic engineering analysis and public outreach necessary to develop a potential traffic calming "pilot project" ("Buena Vista Avenue neighborhood" within the Marseille Subdivision).

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

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

**Review:**

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

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

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

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



**Summary:** Members of the City Council and staff frequently hear the concern from residents that “too many cars are going too fast by my house or thru my neighborhood”. Related requests are received for the installation of stop signs or street closures to provide a “traffic calming effect” or to “increase safety”. Often, these issues can be substantially resolved utilizing a combination of traffic calming and traffic enforcement “tools”. Staff believes that it is important to address all of these concerns consistently thru the application of the appropriate laws, standards and/or policies. These include the Manual on Uniform Traffic Control Devices (MUTCD), the California Vehicle Code, the Street and Highways Code, City Code, related City Policies and perhaps a “Neighborhood Traffic Management Program” (**a Draft NTMP is attached**).

- 1) “Neighborhood traffic management” and “traffic calming” are quickly becoming the common terms for addressing a wide-range of traffic related issues. Appropriately applied, traffic calming can slow traffic, reduce cut-thru traffic, reduce traffic related noise, and increase safety for pedestrians, bicyclists, vehicles. A draft NTMP is being presented to the Council and the public for its review and comment.
- 2) Stop signs are NOT offered as a NTMP traffic calming measure. Stop signs are used to assign who has the right-of-way at intersections. Stop signs are NOT an effective method for calming traffic or slowing speeds. Placing stop signs in “unwarranted” locations can frustrate motorists and foster an environment of “rolling stops” and create a false sense of security for pedestrians and bicyclists.
- 3) Street closures are not typically used as a NTMP traffic calming measure, but occasionally, closures may be shown to be in the best interest of the effected/surrounding neighborhoods. There are certain specific procedures that need to be followed under California State Law. For instance, if a neighborhood group requested a permanent closure over a public street (to reduce “cut-thru traffic”), then it would need to be proven there is a legitimate public purpose for the “closure” and that emergency vehicle access concerns are properly addressed. It would also have to be proven that a thru-street is not presently necessary for public use or would be necessary in the future. The specific facts of any request would need to be reviewed carefully. Such a potential closure would require an extensive traffic engineering analysis and public outreach to all impacted neighborhoods.
- 4) At the request of residents, staff has recently performed detailed traffic engineering analysis in a portion of the Marseille Subdivision neighborhood (Buena Vista Avenue). The analysis shows that a portion of Buena Vista Avenue currently meets the criteria set forth in the Draft NTMP for the installation of traffic calming devices. The development of a pilot project would provide an opportunity to test and demonstrate traffic calming devices and would provide a means to refine the “Draft Neighborhood Traffic Management Program” itself. This pilot project could utilize relatively inexpensive temporary traffic calming devices to gauge their effectiveness and the public’s acceptance of such devices.

***Important Note:*** *Community Development staff will work closely with the Police and Fire Departments and other entities to ensure that the installation of traffic calming devices and any potential road closures do not negatively impact emergency response times.*

**Background:**

### Draft Neighborhood Traffic Management Program

City staff has developed a Draft NTMP (attached) for the Council's consideration and public comment. This program outlines a policy to address resident's concerns regarding excessive vehicle speed and traffic volumes on neighborhood streets. The NTMP outlines a process for neighborhood groups (experiencing these concerns) to work with the City to improve their quality of life. It is extremely important that representatives from the requesting neighborhoods work closely with City staff throughout this process (**see attached "Draft Neighborhood Traffic Management Program"**).

### Criteria for Placement of Multi-way Stop Signs

There are specific criteria that exist to "warrant" or justify the installation of a stop sign. When stop signs are installed in places that do not meet the MUTCD criteria they may be ignored by drivers and could actually cause collisions by providing a false sense of security to pedestrians, cyclists, and other motorists. This creates both safety and liability issues. The applicable criteria for the installation of "Multi-way Stop Signs" is found in the MUTCD (published by the Federal Highway Administration and adopted by the State of California).

When a request for a multi-way stop sign is received, the City's Traffic Engineering Division performs a study to gather the information required to determine if the intersection meets the **specific criteria outlined by the MUTCD**. This includes consideration of the following:

#### Traffic Volumes

- Multi-way (or all-way) stop control is used where the volume of traffic on the intersecting roads is approximately equal.
- Minimum Volumes: The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day.
- The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approached (total of both approaches) averages at least 200 units for the same 8 hours.

#### Accident History

- If there are 5 or more reported crashes in a 12-month period that could have been corrected by the installation of a multi-way stop (such crashes include right-turn and left-turn collisions as well as right-angle collisions).

#### Sight Distances:

- The clear sight distance required is based upon the speed of the approaching vehicles that will allow for a vehicle to make a safe movement or allow for an approaching vehicle.

If the intersection does not meet warrants for a multi-way stop, the residents may want to consider participating in the Neighborhood Traffic Management Program (as it develops) and taking advantage of the appropriate traffic calming measures.

### Consideration of Pilot Project

City staff has been working with the "Buena Vista Neighborhood Group" (a neighborhood group within the Marseille Subdivision) about their concerns of traffic volumes (cut thru traffic) and speeding on Buena Vista Street. Several public meetings have been held with this group and some basic traffic engineering analysis has been performed. This analysis shows that Buena Vista Avenue (within the Marseille Subdivision) meets the criteria contained in the Draft NTMP and would be eligible for some type of traffic calming measure such as speed humps.

The Buena Vista Neighborhood Group has requested that a road closure be made on Tommy Street, between Buena Vista Avenue and Vine Street, in order to reduce local traffic volumes (eliminate cut-thru traffic). Many of the neighborhood's residents have also expressed the concern that with the existing higher traffic volume and higher traffic speeds on Buena Vista Avenue (resulting from "cut-thru" traffic) the street is unsafe for pedestrians, bicyclists, and motorists. They also believe that the existing "easy access" in and out of the neighborhood increases the opportunity for criminal activity in the area.

Staff recommends that a City Policy to process street closure requests be developed. If the Council agrees, staff would bring this policy back to a Council Meeting in February for review. Staff would then work with the impacted neighborhoods (Foxwood, Marseille, etc.) to determine a consensus regarding a potential street closure. Community Development staff would work closely with the Police and Fire Departments and other entities to "gauge" the feasibility and impact of such closures.

**Prior Council/Board Actions:** None

**Committee/Commission Review and Actions:** None

**Alternatives:** N/A

**Attachments:** Draft NTMP program  
Power point presentation

**Recommended Motion (and Alternative Motions if expected):** I move to accept the information received and provide direction to staff.

***Environmental Assessment Status***

**CEQA Review:** N/A

**NEPA Review:** N/A

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

Copies of this report have been provided to:

# CITY OF VISALIA

## Neighborhood Traffic Management Program (NTMP)

### Information Booklet



CITY OF VISALIA  
Engineering Department  
Traffic Engineering Division  
315 E Acequia Avenue (City Hall East)  
Visalia, CA 93291  
559-713-4350

## Neighborhood Traffic Management Program (NTMP)

**Overview:** The NTMP was first approved and adopted by the Visalia City Council in **Month, Year**. The NTMP is to be used as a tool to uniformly address traffic calming related issues in neighborhoods within the City of Visalia.

The goal of the program is to reduce excessive traffic volume and vehicular speeding to improve residents' quality of life. As the name suggests, the Neighborhood Traffic Management Program (NTMP) is a process that includes the efforts and involvement of the effected neighborhood. Staff from the City's Traffic Engineering Division will guide the representatives from the requesting neighborhood through the process which can be described in six steps:

### NTMP Process

1. Initial Request
2. Traffic Studies
3. Public Meeting/Develop Plan
4. Petitions/Obtain Consensus
5. Implementation/Construction
6. Evaluation

1. **Initial request.** Any City of Visalia property owner is eligible to inquire about on-going neighborhood traffic concerns, traffic calming in their neighborhood. Upon receiving a request for assistance with on-going neighborhood traffic concerns, Visalia's Traffic Engineering Division will provide this booklet and additional information to the concerned property owner(s). This information booklet and a request form can also be downloaded from the City's website at: **insert webpage**. After reading this information, if a homeowner is interested in the NTMP and is willing to be a volunteer liaison, they should complete the "NTMP Request Form" and return it to the City. This will initiate the process for participating in the NTMP.

**Important Note:** *Only public roadways that are paved and maintained by the City are eligible for the NTMP. New subdivision developments must be completely "built out" before they are eligible since the true traffic patterns cannot be determined until this occurs.*

2. **Traffic study:** Upon receipt of a completed Neighborhood Traffic Request Form, a traffic study will be scheduled in the neighborhood. Requests for traffic studies will

be conducted in the order they are received and depending on the availability of staff and funding. Traffic studies are usually conducted during the school year unless unique circumstances exist, as determined by City Traffic Engineering Division staff. The study area will be determined by City staff using engineering judgment to include the area most likely to be affected by the implementation of traffic calming measures requested. The location and type of any traffic calming measure is subject to the review of the City's Police and Fire Departments for potential impact to response times.

Since the NTMP is intended for neighborhood streets that typically have speed limits of 25 MPH, any street with a speed limit greater than 30 MPH is not eligible for traffic calming measures. Streets designated as "collectors" (secondary streets that "collect" traffic from arterial roadways and funnel it into neighborhoods) may only be eligible if in addition to all of the NTMP program criteria, all of the following apply:

- They have no more than one travel lane in each direction
- The posted speed limit is 30 MPH or less
- They go through a residential neighborhood
- The City of Visalia Fire Department approves based on primary emergency response access routes

**MINIMUM NTMP CRITERIA**

Neighborhoods streets that meet one of the following criteria are eligible to participate in the NTMP:

**NTMP Criteria Table**

<b>Street Classification (posted speed limit)</b>	<b>Average Daily Traffic Volume (vehicles per day)</b>	<b>85th Percentile Speed (mph)</b>
Residential (25 MPH)	Greater than 750	30 or greater
Collector (30 MPH)	Greater than 3000	35 or greater

3. **Public Meeting/Develop Plan:** If the results of the traffic study show the neighborhood meets the NTMP criteria, a public meeting with residents in the neighborhood may be held by City staff. Requests for meetings are scheduled in the order they are received. Meeting notices are prepared by City staff and mailed to residents and property owners through the U.S. Postal Service according to the Tulare County Assessor's address records. At the meeting, City staff will discuss traffic calming and the NTMP process, the results of the traffic study, and potential alternatives for traffic projects in the neighborhood. This step can be conducted in a variety of ways including the following:

- A public meeting or open house meeting
- A survey of homeowners in the neighborhood
- Through the Homeowner's Association Board on behalf of the neighborhood
- Homeowners can volunteer to form a traffic calming committee that can work with City staff on preferences

4. **Petitions/Obtain Consensus:** After the public meeting, residents may request the City of Visalia to prepare petitions for specific traffic calming features on specific roadways. A list of traffic calming measures available through the NTMP is included at the back of this information booklet and can be viewed in greater detail at **Website address** on the “Traffic Calming Measures” link.

Traffic calming measures, except for signs, are first to be installed on a temporary basis for a 90-day test period. If after the 90-day test period no objections are received or if City staff has not observed any negative effects of the traffic calming measure(s), then the traffic calming measure(s) will be permanently installed. Requests for signs for traffic restrictions may be either temporary for a 90-day test period or permanent. **Complete roadway closures are not allowed through the NTMP.**

All petition forms shall be prepared by City staff and provided to residents. A map showing the location of the traffic calming measures and the petition boundary area shall also be included. City staff shall determine all petition boundaries on a case by case basis for the individual measures requested by residents. Boundaries can be enlarged or reduced where applicable as determined by City’s Traffic Engineering staff.

Consensus from homeowners must be obtained in order to proceed with the installation of the traffic calming measures. Consensus is sought in writing through a petitioning process. In order to move on to the construction phase, the petition must be approved (by petition signature) by at least 80% of the property owners within the designated study area. In the case of multiple owners of one parcel, only one owner’s signature per parcel will be counted.

Homeowners will be provided four months from the date the petitions are issued by the City to the neighborhood for the petitions to be circulated and returned. The petitions will expire after four months. However, a one time, one month extension can be requested by the neighborhood in writing. If the neighborhood fails to return the petitions within the four months or the petitions are returned with an inadequate number of valid signatures, the process will stop and the neighborhood will have to wait one year after the petition expires before they may reapply.

5. **Implementation:** A minimum of 80% of the signatures within a petition boundary is required for any petition to be approved.

Funding for permanent NTMP measures is based on a first come, first serve basis and subject to funding availability. The neighborhood shall pay for a minimum of 50% of the cost of the permanent traffic calming measure(s). A neighborhood can provide the funds for the purchasing of the materials and the cost of installation if they so choose. The criteria set forth in this program will govern whether any traffic calming measures are installed.



For signs and temporary traffic calming features, the City of Visalia will pay 100% of the cost provided a minimum of 80% of the signatures within the petition boundary is obtained.

6. **Evaluation.** After the installation, a secondary traffic study will be completed to evaluate the effectiveness of the NTMP measures. Based on the results, residents may decide if they want to try another temporary NTMP measure, install permanent NTMP measures, or remove the temporary measures altogether.

DRAFT

# CITY OF VISALIA

## Example of NTMP Measures

Turn Prohibitions



No Parking Signs



Speed Humps



Speed Tables



Traffic Circles



Chicane



Median Island



Island Diverter



Diagonal Diverter



Right-Turn Diverter



Semi-Diverter



## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11b

**Agenda Item Wording:** Second reading of Ordinance No. 2010-21 authorizing the Grant of Easement to California Water Service Company for a non-exclusive easement in gross for the conveyance, distribution and/or storage of water across a portion of City owned properties (APN #'s 103-020-021 and 103-020-059) and authorize the City Manager to execute the grant of easement. The easement will enable the California Water Service Company to connect a water line to the water system in the unincorporated Oak Ranch neighborhood.

**Deadline for Action:** N/A

**Submitting Department:** Community Development Department/  
Engineering Division

**Contact Name and Phone Number:**

Chris Young, Community Development Director – 713-4392

**Department Recommendation:** Authorize the Grant of Easement to California Water Service Company for a non-exclusive easement for the conveyance, distribution and/or storage of water across a portion of City owned properties (APN #'s 103-020-021 and 103-020-059) and authorize the City Manager to execute the grant of easement.

**Summary:** The California Water Service Company (CWS) is requesting a twenty foot (20') wide easement over two City owned properties to connect a water line to augment the water system in the Oak Ranch Subdivision. The easements are in the vicinity of the McAuliff Street bridge crossing over the Saint John's River.

The California Water Service Company's facilities serve not only the incorporated City of Visalia area but also the unincorporated surrounding areas. CWS owns and operates the existing water system in the Oak Ranch neighborhood. CWS has upgraded their facilities to serve the Oak Ranch Subdivision. CWS states that it is critical that they make the connection from their existing facilities in Visalia (which now "dead end" at McAuliff and the Saint John's) to their upgraded water lines serving Oak Ranch. This connection will ensure adequate fire flows and an acceptable amount of "backup" within their system (in case the existing water wells go "off-line" in the Oak Ranch area).

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

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

**Review:**

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

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

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

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

**Background:** The easement will be located 70-feet east, and parallel with McAuliff Road for a distance of approximately 400-feet, crossing the Saint John's River across two City owned parcels. CWS intends to bore underground to install their water line through the City's property and under the Saint John's River. The boring process will not disturb any above ground "riverland". It is the responsibility of the California Water Service Company to obtain all the appropriate permits and perform its work conforming to all City of Visalia standards and policies. The CWS is also responsible for repairing or replacing any damaged infrastructure or landscaping resulting from their construction project. The cost of all work will be the responsibility of CWS.

The area of the easements on two City owned parcels is approximately 0.14 of an acre (5,900 SF) and 0.05 of an acre (2,010 SF) respectively. Staff, in consultation with the City Attorney, has determined that the easement document, as written, is acceptable to the City.

**Prior Council/Board Actions:** N/A

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** (1) Location maps, (2) Grant of Easements

**Recommended Motion (and Alternative Motions if expected):** Adoption of Ordinance No. 2010-21 authorizing the Grant of Easement to California Water Service Company for a non-exclusive easement for the conveyance, distribution and/or storage of water on a portion of City owned properties (APN #'s 103-020-021 and 103-020-059) and authorize the City Manager to execute the grant of easement.

***Environmental Assessment Status***

**CEQA Review:** N/A

**NEPA Review:**

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

Copies of this report have been provided to:

**ORDINANCE NO. 2010-21**

**AUTHORIZING GRANT OF EASEMENT TO  
CALIFORNIA WATER SERVICE COMPANY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA

Section 1: The City of Visalia owns all the legal and beneficial interest in certain real properties commonly referred to as St. John's River area east of Mc Auliff Street, Visalia, California (APN's: 103-020-021 and 103-020-059) and has determined to convey an easement over a portion of it to California Water Service Company, and

Section 2: Said real properties are located in the St. John's River area east of Mc Auliff Street and the portions to be conveyed to California Water Service Company are more particularly and legally described in the Grant of Easement documents, and

Section 3: The City Council of the City of Visalia, having considered evidence submitted, finds and determines that easements over said portions of the real properties should be granted to California Water Service Company, and

Section 4: Said City Council agrees to grant easements to California Water Service Company over said real properties, based on terms and conditions set forth in the Grant of Easement documents.

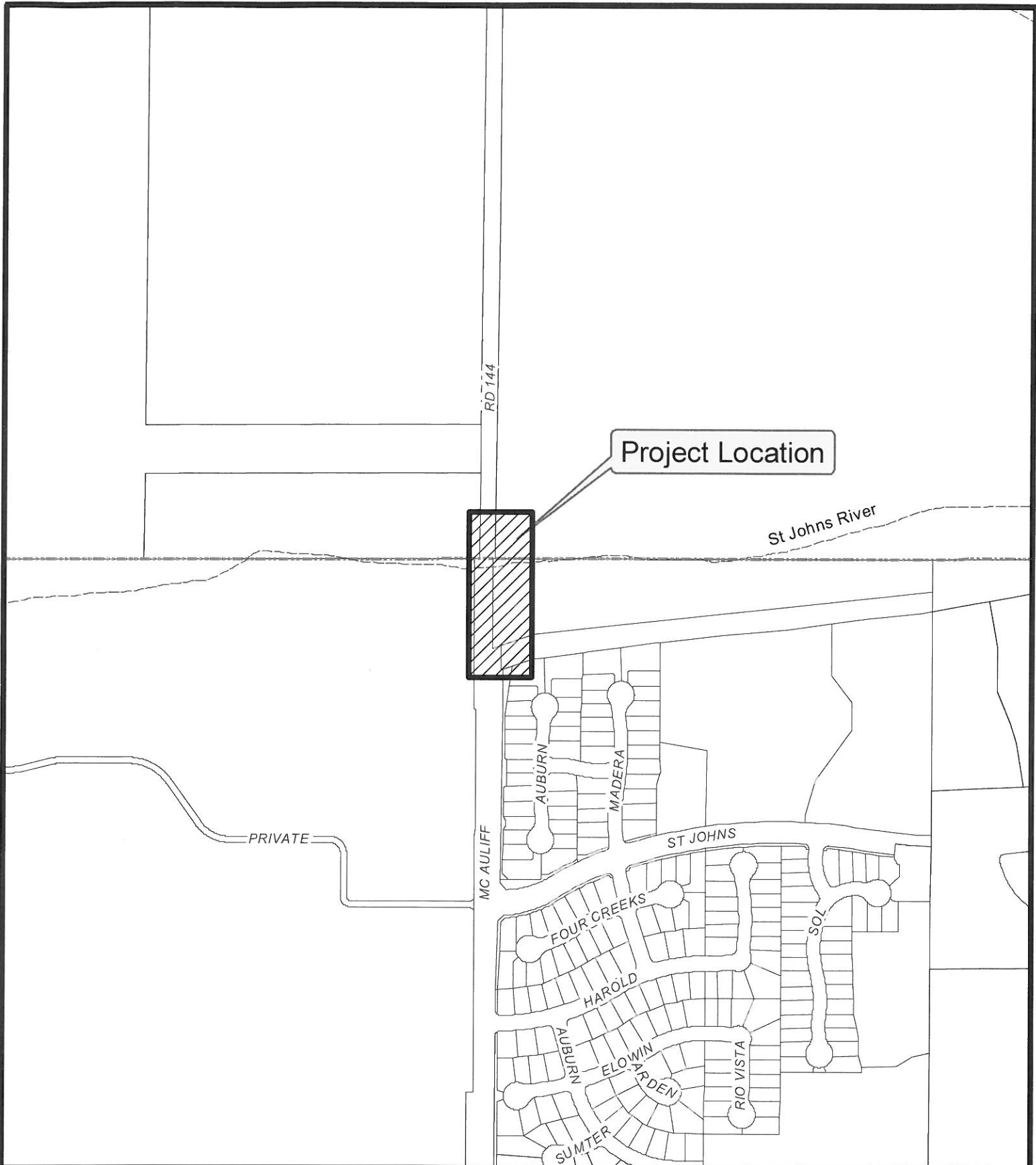
Section 5: This ordinance shall become effective thirty days after passage hereof.

PASSED AND ADOPTED:

\_\_\_\_\_, MAYOR

ATTEST BY: \_\_\_\_\_

APPROVED BY CITY ATTORNEY: \_\_\_\_\_



# CAL WATER GRANT OF EASEMENT VICINITY MAP



Scale: 1"=500'

RECORDING REQUESTED BY

AND WHEN RECORDED RETURN TO:

This is a conveyance of an easement and the consideration and value is less than \$100.00

The undersigned Grantor declares that the documentary transfer tax due is \$ \_\_\_\_\_, computed on full value of property conveyed.

Form 1381

## GRANT OF EASEMENT

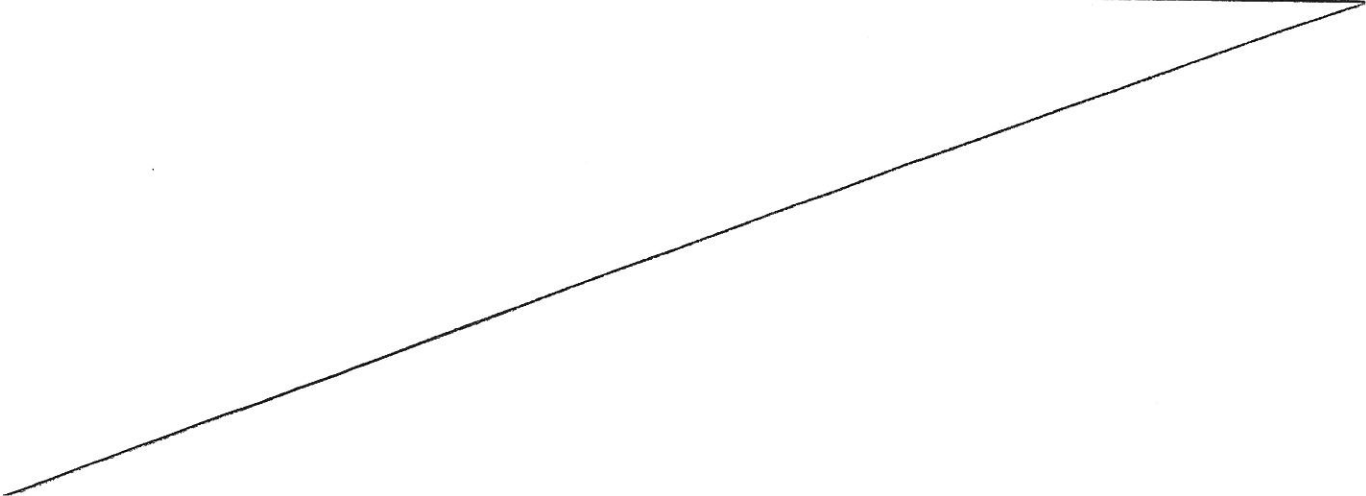
By this instrument dated \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ (“Grantor”) hereby grants to CALIFORNIA WATER SERVICE COMPANY, a California public utility water corporation, (“Grantee”), a non-exclusive easement in gross, consisting of the right from time to time to construct, reconstruct, install, inspect, maintain, repair, replace, remove, operate and use facilities of the type hereinafter specified, together with a right of way for such facilities and ingress to and egress from such facilities, upon, across and/or under the lands situated in the **City of Visalia, County of Tulare, State of California**, described as follows:

### EXHIBIT “A”

The East 20.00 feet of the West 100.00 feet of the North 330 feet of the SE ¼ of Section 22, Township 18 South, Range 25 East, Mount Diablo Base and Meridian, in the City of Visalia, County of Tulare, State of California lying north of the north line of Lot 14 of River Run Ranch Large Lot Subdivision recorded in Volume 39 of Maps, at Page 11, T.C.R.

The sidelines of said 20.00 feet wide easement to be shortened or extended to end at the north line of said SE ¼ and the north line of said Lot 14. \_\_\_\_\_





The above described strip(s) or parcel(s) of land are referred to in this Grant of Easement as the "Easement Area" and is shown on the map attached hereto as an exhibit.

The Easement Area and the facilities installed by Grantee thereon shall be used by Grantee for the conveyance, distribution and/or storage of water, and the installation, operation, inspection, maintenance, repair, relocation, replacement and removal of such pipes, conduits, meters, valves, fittings, boxes, vaults, hydrants, pipeline markers, and other facilities as Grantee deems necessary or convenient in connection with Grantee's business as a public utility water company and for any other legally permitted purpose.

Grantor hereby reserves, for itself, its successors and assigns, the right to use the surface of the Easement Area for roadway, parking, landscaping, walkways, signs and driveways; provided that Grantor shall not erect or construct any building or other structure, or otherwise conduct activities in the Easement Area which may impair or prevent Grantee's use of the Easement Area for the purposes specified herein. Grantor shall not engage in activities that damage or is reasonably likely to damage, Grantee's facilities and equipment in the Easement Area. Without limiting the foregoing, Grantor shall not perform or permit any digging, tunneling or other forms of construction activity on the Easement Area which would substantially disturb, or are likely to substantially disturb the compaction or unearth Grantee's facilities located within the Easement Area or endanger the lateral support to such facilities.

Grantee hereby agrees that Grantee shall vacate the Easement Area and any improvements constructed by Grantee thereon and relocate its facilities to a reasonable alternative Easement Area, at Grantee's sole cost and expense upon ninety (90) days written notice from Grantor to Grantee. Upon such relocation, Grantee shall deliver to Grantor a quitclaim deed releasing Grantee's interest in the vacated Easement Area.

Grantee agrees, at its sole cost, to keep all facilities and equipment of Grantee in the Easement Area in good condition and repair, subject only to ordinary wear and tear. In the event Grantee damages the surface of the Easement Area or improvements thereon, permitted by this Agreement and installed by or for Grantor, Grantee shall, at its cost, repair the damage caused by the activities of Grantee and restore the surface of the Easement Area as nearly as possible to the condition in which such surface area and improvements existed at the commencement of the activities of Grantee which caused such damage. In no event shall Grantee be obligated to repair damage caused by activities or causes other than the activities of Grantee.

The terms hereof shall be binding upon, and inure to the benefit of the successors and assigns of the parties hereto. As used herein, the term "Grantor" shall include all subsequent owners of the land subject to the easement granted hereby. The terms hereof shall run with Grantee's Easement Area. As used herein, the term "Grantee" shall include all subsequent owners of the easement in gross granted hereby.

Grantor:

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name and Title)

Project #: **VIS-16983, Oak Ranch Tie-in South**

State of California )  
 )  
County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_,  
DATE NAME, TITLE OF OFFICER  
personally appeared \_\_\_\_\_,  
NAME(S) OF SIGNER(S)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
SIGNATURE OF THE NOTARY

**EXHIBIT 'A'**

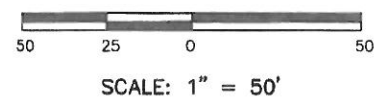
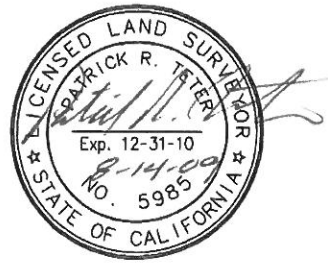
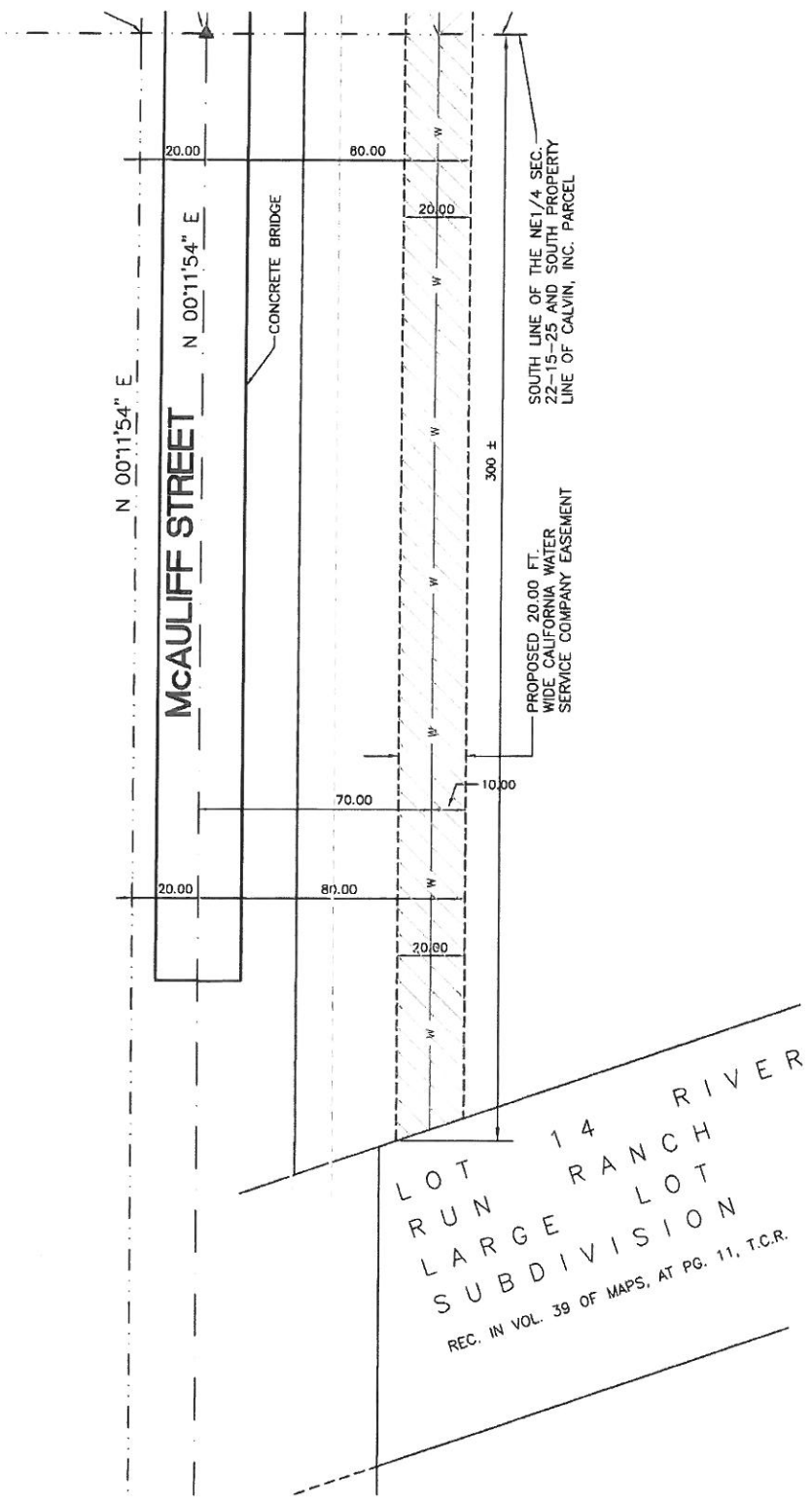
Lane Engineers, Inc. Job No. 09153  
August 14, 2009

The East 20.00 feet of the West 100.00 feet of the North 330 feet of the SE1/4 of Section 22, Township 18 South, Range 25 East, Mount Diablo Base and Meridian, in the City of Visalia, County of Tulare, State of California lying north of the north line of Lot 14 of River Run Ranch Large Lot Subdivision recorded in Volume 39 of Maps, at Page 11, T.C.R.

The sidelines of said 20.00 feet wide easement to be shortened or extended to end at the north line of said SE1/4 and the north line of said Lot 14.



# EXHIBIT 'B'



RECORDING REQUESTED BY

AND WHEN RECORDED RETURN TO:

This is a conveyance of an easement and the consideration and value is less than \$100.00

The undersigned Grantor declares that the documentary transfer tax due is \$ \_\_\_\_\_, computed on full value of property conveyed.

Form 1381

## GRANT OF EASEMENT

By this instrument dated \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
("Grantor") hereby grants to CALIFORNIA WATER SERVICE COMPANY, a California public utility water corporation, ("Grantee"), a non-exclusive easement in gross, consisting of the right from time to time to construct, reconstruct, install, inspect, maintain, repair, replace, remove, operate and use facilities of the type hereinafter specified, together with a right of way for such facilities and ingress to and egress from such facilities, upon, across and/or under the lands situated in the **City of Visalia, County of Tulare, State of California**, described as follows:

That portion of Lot 14 of River Run Ranch Large Lot Subdivision recorded in Volume 39 of Maps, at Page 11, T.C.R., situated in the SE1/4 of Section 22, Township 18 South, Range 25 East, Mount Diablo Base and Meridian, in the City of Visalia, County of Tulare, State of California, more particularly described as follows:

A 20.00 foot wide strip of land, the centerline being described as follows:

Commencing at the south west corner of said Lot 14;  
thence northerly along the west line of said Lot 14, 10.56 feet to the TRUE POINT OF BEGINNING,  
said point 10.00 feet northerly of the south line of said Lot 14 as measured at right angles thereto;  
thence northeasterly 15.84 feet parallel with the south line of said Lot 14;  
thence northerly 84.94 feet parallel with said west line to the north line of said Lot 14.

The sidelines of said 20.00 feet wide strip to be shortened or extended to end at the north, south and west lines of said Lot 14.

SEE EXHIBIT 'B' ATTACHED HERETO.

CONTAINING APPROXIMATELY 0.05 ACRES (2010 SQUARE FEET)

The above described strip(s) or parcel(s) of land are referred to in this Grant of Easement as the "Easement Area" and is shown on the map attached hereto as an exhibit.

The Easement Area and the facilities installed by Grantee thereon shall be used by Grantee for the conveyance, distribution and/or storage of water, and the installation, operation, inspection, maintenance, repair, relocation, replacement and removal of such pipes, conduits, meters, valves, fittings, boxes, vaults, hydrants, pipeline markers, and other facilities as Grantee deems necessary or convenient in connection with Grantee's business as a public utility water company and for any other legally permitted purpose.

Grantor hereby reserves, for itself, its successors and assigns, the right to use the surface of the Easement Area for roadway, parking, landscaping, walkways, signs and driveways; provided that Grantor shall not erect or construct any building or other structure, or otherwise conduct activities in the Easement Area which may impair or prevent Grantee's use of the Easement Area for the purposes specified herein. Grantor shall not engage in activities that damage or is reasonably likely to damage, Grantee's facilities and equipment in the Easement Area. Without limiting the foregoing, Grantor shall not perform or permit any digging, tunneling or other forms of construction activity on the Easement Area which would substantially disturb, or are likely to substantially disturb the compaction or unearth Grantee's facilities located within the Easement Area or endanger the lateral support to such facilities.

Grantee hereby agrees that Grantee shall vacate the Easement Area and any improvements constructed by Grantee thereon and relocate its facilities to a reasonable alternative Easement Area, at Grantee's sole cost and expense upon ninety (90) days written notice from Grantor to Grantee. Upon such relocation, Grantee shall deliver to Grantor a quitclaim deed releasing Grantee's interest in the vacated Easement Area.

Grantee agrees, at its sole cost, to keep all facilities and equipment of Grantee in the Easement Area in good condition and repair, subject only to ordinary wear and tear. In the event Grantee damages the surface of the Easement Area or improvements thereon, permitted by this Agreement and installed by or for Grantor, Grantee shall, at its cost, repair the damage caused by the activities of Grantee and restore the surface of the Easement Area as nearly as possible to the condition in which such surface area and improvements existed at the commencement of the activities of Grantee which caused such damage. In no event shall Grantee be obligated to repair damage caused by activities or causes other than the activities of Grantee.

The terms hereof shall be binding upon, and inure to the benefit of the successors and assigns of the parties hereto. As used herein, the term "Grantor" shall include all subsequent owners of the land subject to the easement granted hereby. The terms hereof shall run with Grantee's Easement Area. As used herein, the term "Grantee" shall include all subsequent owners of the easement in gross granted hereby.

Grantor:

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name and Title)

Project #: **VIS-16983, Oak Ranch Tie-in South**

State of California )  
 )  
County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_,  
DATE NAME, TITLE OF OFFICER  
personally appeared \_\_\_\_\_,  
NAME(S) OF SIGNER(S)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

---

SIGNATURE OF THE NOTARY

**EXHIBIT 'A'**

Lane Engineers, Inc. Job No. 09153  
May 18, 2010

That portion of Lot 14 of River Run Ranch Large Lot Subdivision recorded in Volume 39 of Maps, at Page 11, T.C.R., situated in the SE1/4 of Section 22, Township 18 South, Range 25 East, Mount Diablo Base and Meridian, in the City of Visalia, County of Tulare, State of California, more particularly described as follows:

A 20.00 foot wide strip of land, the centerline being described as follows:

Commencing at the south west corner of said Lot 14;  
thence northerly along the west line of said Lot 14, 10.56 feet to the TRUE POINT OF BEGINNING,  
said point 10.00 feet northerly of the south line of said Lot 14 as measured at right angles thereto;  
thence northeasterly 15.84 feet parallel with the south line of said Lot 14;  
thence northerly 84.94 feet parallel with said west line to the north line of said Lot 14.

The sidelines of said 20.00 feet wide strip to be shortened or extended to end at the north, south and west lines of said Lot 14.

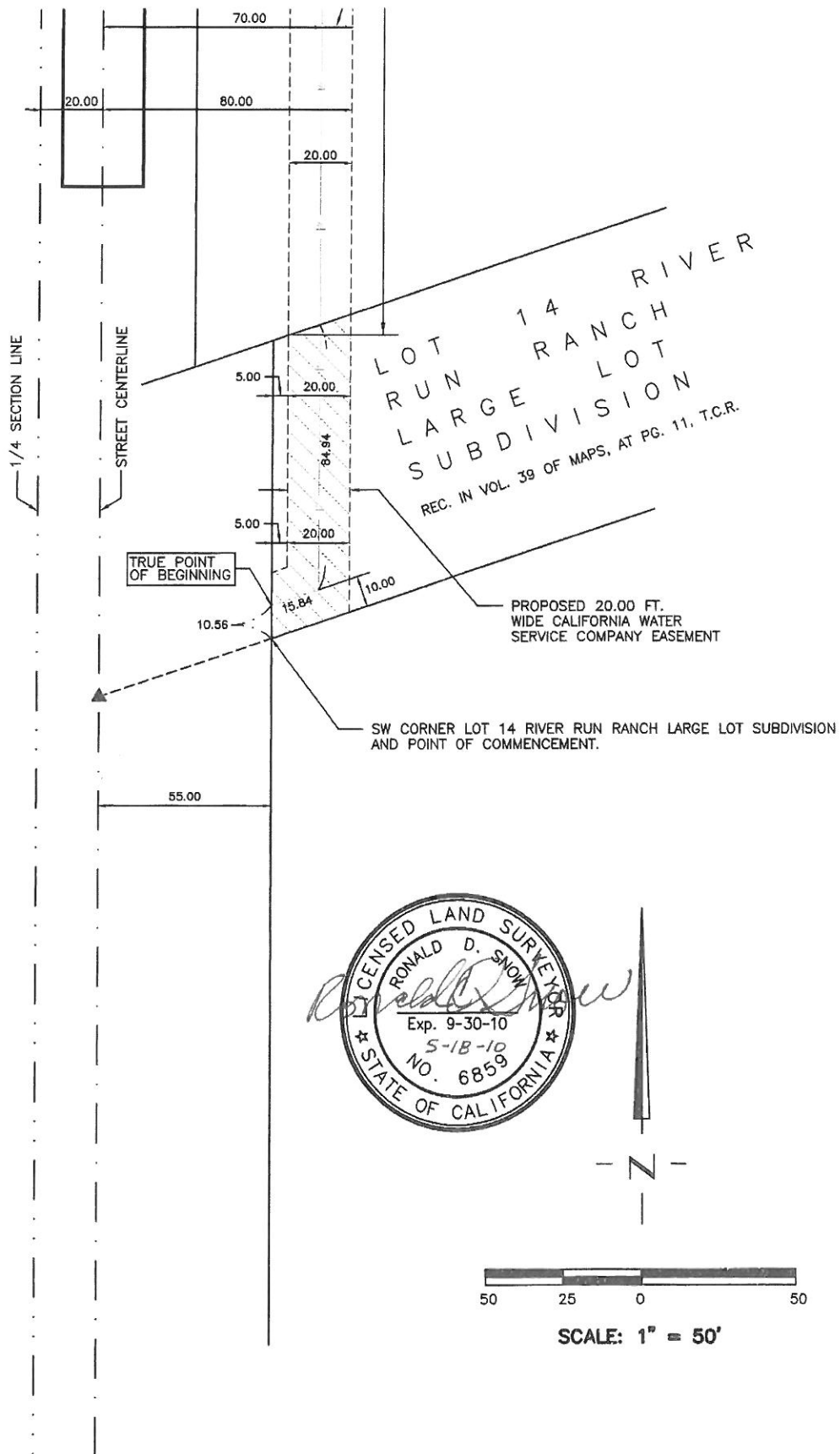
SEE EXHIBIT 'B' ATTACHED HERETO.

CONTAINING APPROXIMATELY 0.05 ACRES (2010 SQUARE FEET)





# EXHIBIT 'B'



**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11c

**Agenda Item Wording:** Second reading of Ordinance 2010-22 authorizing the contract amendment for Police and Fire sworn/safety personnel between the City Council of the City of Visalia and the Board of Administration of the California Public Employees' Retirement System (CalPERS)

**Deadline for Action:** N/A

**Submitting Department:** Administrative Services

**Contact Name and Phone Number:** Eric Frost x4474,  
Charlotte Dunn x4335

**Department Recommendation:**

Second reading of Ordinance No. 2010-22 to amend the contract between the City of Visalia and the Board of Administration of CalPERS for Police and Fire sworn personnel as of February 26, 2011.

The contract changes will apply to Police and Fire sworn personnel that are hired after February 26, 2011, the effective date of the amendment. The contract amendment will incorporate the following benefits:

**Section 20475 Different Level of Benefits** - Implement a new CalPERS retirement plan for all Police and Fire sworn personnel hired after February 26, 2011;

**Section 21363.1 Retirement Full Formula 3% @ 55** – The new retirement benefit level will provide safety members 3% of pay at age 55 for each year of service at the time of retirement. This is a change from the current safety benefit level of 3% of pay age 50 for each year of service.

**Section 20037 Three Year Final Compensation** – The new retirement benefit level will consider the 36 highest paid consecutive months for the basis to calculate retirement benefits for safety members hired after February 26, 2011. This is a change from the current safety level of benefit that considers the 12 highest paid consecutive months for retirement calculations.

**Summary/background:**

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

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

**Review:**

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

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

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

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

The City approved Memorandum of Understandings or imposed new terms and conditions of employment with Police and Fire employee groups in 2010. One of the new terms of employment is to amend the contract between the City of Visalia and CalPERS and implement a new retirement tier for all Police and Fire sworn safety employees hired after the contract amendment effective February 26, 2011.

Before a change may occur in a PERS contract, CalPERS law requires that a governing body express its intent to amend the contract and adopt an ordinance.

It is the City's intent to amend the safety contract between the City of Visalia and CalPERS to Implement a two-tiered retirement system for Police and Fire safety employees. In doing so, current safety employees would remain under the 3% @ 50 retirement plan (3% per year of service at age 50) and benefits would continue to be based on the highest 12 months average wages.

All sworn Police and Fire safety employees hired after the effective date of the contract amendment and entering membership for the first time in the safety classification would be covered in the new tier of 3% @ 55 (3% per year of service at age 55) and retirement benefits would be based on the highest 36 months average wages instead of 12.

By implementing the new retirement formula for all new Police and Fire safety employees, it is expected to reduce the City cost over time. Current safety employees are required to pay the 9% employee cost. This will also be required for all members entering the new safety retirement program.

**Prior Council/Board Actions:**

- Adoption of Resolution 2010-86
- Approval of Memorandum of Understanding with Group A (Police Management) and Group G (Fire) in October and November of 2010.
- Imposition of terms and conditions of employment for Group B (Police Officers) in October of 2010.

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:**

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

Second reading of Ordinance 2010-22 to amend the contract between the City Council of the City of Visalia and CalPERS as follows:

1. Section 20475 - Different Level of Benefits
2. Section 21363.1 – 3% @ 55 Full Formula
3. Section 20037 – Three Year Final Compensation

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

Copies of this report have been provided to:

**ORDINANCE NO. 2010-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF VISALIA AUTHORIZING AN AMENDMENT  
TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF  
VISALIA**

**AND**

**BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.**

**THE CITY COUNCIL OF THE  
CITY OF VISALIA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** That an amendment to the contract between the City Council of the City of Visalia and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

**SECTION 2.** The City Manager of the City of Visalia is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

**SECTION 3.** This Ordinance shall take effect thirty (30) days after the date of its adoption, and prior to the expiration of ten (10) days from the passage thereof shall be published at least one (1) time in the Visalia Times Delta, a newspaper of general circulation, published and circulated in the City of Visalia and thenceforth and thereafter the same shall be in full force and effect.

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11d

**Agenda Item Wording:** Appointment of Tracy Harrell to the Transit Advisory Committee.

**Deadline for Action:** January 18, 2011

**Submitting Department:** Administration Department – Transit Division

**Contact Name and Phone Number:** Monty Cox, X4591  
Leslie Caviglia, X4317

**Department Recommendation**

It is recommended that Tracy Harrell be appointed to the Transit Advisory Committee.

**Summary/Background**

The Transit Advisory Committee (TAC) currently has two vacant positions and two vacant alternate positions. The TAC met on November 3, 2010 and recommended that Tracy Harrell be appointed to the committee. Tracy currently serves on the Regional Center Disability Advocacy In Home Support Services Advisory Board. She has held several positions from secretary to Vice-Chair, and Chairman. Tracy will be a great resource to the committee as she has the knowledge and experience working with people with disabilities. The appointment of Tracy was reviewed by the Citizens Advisory Committee (CAC) and they approved the appointment on December 1, 2010.

The Transit Advisory Committee and the Citizens Advisory Committee has reviewed this appointment and has requested the Council move forward with this recommendation.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:** None.

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

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

**Review:**

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

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

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

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

**Attachments:** Application for Tracy Harrell.

**Recommended Motion (and Alternative Motions if expected):**  
I move to appoint Tracy Harrell to the Transit Advisory Committee.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11e

**Agenda Item Wording:** Recommendation to appoint Robert Doi and Benjamin Filiponi as Parks & Recreation Commission Alternates effective February 1, 2011.

**Deadline for Action:** N/A

**Submitting Department:** Parks & Recreation Department

**Contact Name and Phone Number:** Vincent Elizondo, Director of Parks & Recreation, 713-4367

**Department Recommendation:**

Recommendation to appoint Robert Doi and Benjamin Filiponi as Parks & Recreation Commission Alternates effective February 1, 2011.

**Background:**

The five member Parks & Recreation Commission currently has two (2) alternate member vacancies.

The City received three (3) applications and these individuals were interviewed by the Commission on November 16, 2010, during a regular Parks & Recreation Commission meeting.

At their regular meeting of December 14, 2010, after much discussion, the Commission made a recommendation to appoint Robert Doi and Benjamin Filiponi as alternate Commission members effective February 1, 2011.

Mr. Filiponi currently serves on the Waterways and Trail Committee and has agreed to resign from that Committee --- per current City rules and guidelines that govern Commissions.

On January 12, 2011, the Citizens Advisory Committee (CAC) also approved the recommendation of Mr. Doi and Mr. Filiponi to the City Council for consideration as new Alternate Commissioners effective February 1, 2011. The Parks & Recreation Commission has historically had two alternates.

**For action by:**

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

**For placement on which agenda:**

- Work Session
- Closed Session

**Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 1

**Review:**

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

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

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

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



**Committee/Commission Review and Actions:**

November 16, 2010, Parks and Recreation Commission reviewed applications and interviewed candidates.

December 14, 2010, Parks and Recreation Commission voted to forward to the Citizens Advisory Committee the recommendation to appoint Robert Doi and Benjamin Filiponi to the Parks and Recreation Commission as alternate members.

January 12, 2011, Citizens Advisory Committee approved the recommendation of the Parks and Recreation Commission to appoint Robert Doi and Benjamin Filiponi to the Parks and Recreation Commission as alternate members.

**Attachments:** January 12, 2011 memorandum recommending Commissioner alternates.

**Recommended Motion (and Alternative Motions if expected):** Recommendation to appoint Robert Doi and Benjamin Filiponi as Parks & Recreation Commission Alternates effective February 1, 2011.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11f

**Agenda Item Wording:** Approve the Citizens Advisory Committee's recommended appointments of Steven Koch and alternate Joshua Hickey to the Waterways and Trails Committee.

**Deadline for Action:** None.

**Submitting Department:** Community Development

**Contact Name and Phone Number:**

Paul Shepard, Management Analyst, 713-4209  
Adam Ennis, Engineering Services Manager, 713-4323

**Department Recommendation:** Approve the Citizens Advisory Committee's recommended appointments of Steven Koch and alternate Joshua Hickey to the Waterways and Trails Committee.

**Summary/background:** At its November and December 2010 meetings the Waterways and Trails Committee recommended the appointments of Steven Koch and alternate Joshua Hickey to the committee's vacancies. The applicants replace Ray Bullick and Ryan Wullschleger who resigned last year. If approved, the applicants will serve a two-year term.

The Waterways and Trails Committee has a total of 13 members and one alternate. The existing members of this committee are Herb Simmons, Ben Filiponi, Vicki Stasch, Brian Kempf, Dominique Niccoli, George Pilling, Richard Garcia, Robert Brown, Russ Dahler, Debbie Bowen, Steve Sanders and David Shelburne.

At its January 2011 meeting the Citizens Advisory Committee (CAC) reviewed the applications of Steven Koch and alternate Joshua Hickey and recommended approval of the applicants.

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

**Committee/Commission Review and Actions:** At its November and December 2010 meetings the Waterways and Trails Committee recommended approval of the applicants and at its January 2011 meeting the CAC recommended approval of the applicants.

**Alternatives:** Do not approve applicants for committee.

**For action by:**

City Council  
 Redev. Agency Bd.  
 VPFA

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

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

**Review:**

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

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

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

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

**Attachments:** Applications.

**Recommended Motion (and Alternative Motions if expected):** Approve the recommended appointments of Steven Koch and alternate Joshua Hickey to the Waterways and Trails Committee.

***Environmental Assessment Status***

**CEQA Review:** N/A

**NEPA Review:** N/A

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

Copies of this report have been provided to:

## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11g

**Agenda Item Wording:** Appoint Jesus Gutierrez to serve on the Historic Preservation Advisory Committee.

**Deadline for Action:** None

**Submitting Department:** Community Development Department/  
Planning Division

**Contact Name and Phone Number:**

Andrew Chamberlain, Senior Planner, 713-4003  
Chris Young, Community Development Director, 713-4535

**Department Recommendation:** It is recommended that the Visalia City Council appoint Jesus Gutierrez to the Historic Preservation Advisory Committee (HPAC).

**Summary:** The Historic Preservation Advisory Committee has had three members resign in the past year. This appointment would fill one of the vacancies with two still remaining to be filled. On November 17, 2010, the Historical Preservation Advisory Committee forwarded its recommendation to the Citizens Advisory Committee to appoint Jesus Gutierrez to the Historic Preservation Advisory Committee. The Citizens Advisory Committee reviewed the request and moved to recommend his appointment to the City Council.

Mr. Gutierrez is a local business owner of Skylab Residential Designs, with experience in construction entitlement and plans preparation, which includes the restoration and office conversion of local historic structures. He has previously served on the Committee. With his last term ending in 2009, he will be eligible to serve on the Committee in January of 2011. His skills and knowledge were significant assets to the Committee during his past tenure.

**Background:** The purpose of the Historical Preservation Advisory Committee is to help preserve the City's cultural heritage, as reflected in its historic structures, sites, and features, through the preservation and enhancement of these locations throughout the City. This purpose is achieved through the review of all applications for the construction or exterior alteration of structures within the historic district or listed on the local register, the compiling and updating of the historic survey and inventory, and the nomination of properties to the local register and the National Register of Historic Places.

The Historic Preservation Advisory Committee is a seven (7) member committee. Due to recent resignations, the committee currently has only four members. It is important for the Committee

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.):   1  

**Review:**

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

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

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

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

to replace members since they are a reviewing body which requires a minimum of four members to meet and review items. This is the only active application for the Committee at this time; other applicants have indicated a potential interest for later in 2011.

**Committee/Commission Review and Actions:** Citizens Advisory Committee has reviewed and recommends the appointment of Jesus Gutierrez to the Historic Preservation Advisory Committee.

**Alternatives:** None

**Attachments:** None

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

I move to appoint Jesus Gutierrez to serve on the Historic Preservation Advisory Committee.

***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:**  
Historic Preservation Advisory Committee

## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11h

**Agenda Item Wording:** The City Council receive, review, and file the 2009-10 Impact Fee Report as required by State Law.

**Deadline for Action:** January 18, 2011

**Submitting Department:** Finance Department

**Contact Name and Phone Number:**

Eric Frost, Administrative Services Director (ext. 4474)  
Amee Sing, Administrative Analyst (ext. 4170)

**Department Recommendation:** The 2009-10 Impact Fee Report is in compliance with the State Law, Government Code Section 66006(a) and (b), therefore no action is required other than to receive, review, and file the report. However, it is recommended that Council look into the fees at a later date due to the decline in development.

In total, the Impact fees have declined dramatically over the past few years as a result of the decline in construction activity. Over a two year period the impact fees collected have declined 75%. In FY 2007/08, the Impact fees collected \$19,827,000 and in FY 2009/10 \$5,040,000. Due to the decline, the City has had to slow down the pace of capital improvements in the Impact Funds. Of the 12 Impact Funds, 4 currently have a loan to continue with the current projects. Three are advances from the General Fund and one is an advance from the Wastewater Fund.

The 2009-10 Impact Fee Report is in compliance with Government Code Section 66006 which requires agencies to provide information on each fund or account established for the collection of impact fees. Within 180 days after the last day of each fiscal year this information must be made available to the public for the period covered by that fiscal year. The information must provide the following:

- 1) A brief description of the type of fee in the fund.
- 2) The amount of the fee.
- 3) The beginning and ending balances of the fund.
- 4) The amount of fees collected and the interest earned.

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

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

**Review:**

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

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

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

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

- 5) An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the improvement that was funded with fees.
- 6) An identification of an approximate date by which the construction of the public improvement will commence if the City determines that sufficient funds have collected to complete financing on an incomplete public improvement.
- 7) A description of each inter-fund transfer or loan made from the fund, including the public improvement on which the transferred or loaned fees will be expended, and in the case of an inter-fund loan, the date on which the loan will be repaid and the rate of interest that will be received on the loan.
- 8) The amount of refunds made per Government Code Section 66001 (e).

Once the information is available to the public, but not less than 15 days from the date it is made available, the City Council must review the information at its next regularly scheduled meeting. A notice of the time and place of this meeting, including the address where the information may be reviewed, must be mailed at least 15 days prior to the meeting to any interested party who files a written request with the City for mailed notice of the meeting.

The 2009-10 Impact Fee Report provides information on the following Impact Fee Funds:

- 1) Public Facility - Civic Center (1041)
- 2) Public Facility - Corporation Yard (1043)
- 3) Public Facility - Library (1045)
- 4) Police Impact Fund (1051)
- 5) Fire Impact Fund (1061)
- 6) Park & Recreational Facilities Fund (1211)
- 7) Storm Sewer Construction Fund (1221)
- 8) Wastewater Trunk Line Construction Fund(1231)
- 9) Sewer Connection Fund (1232)
- 10) Transportation Impact Fund (1241)
- 11) Waterways Fund (1251)
- 12) Northeast Capital Improvement Fund (1711)

The purpose of the report is to assure that all impact fees are being expended in accordance with their planned use. If more funds are collected than needed, fees should be returned or the plan revised.

All Impact Funds are in compliance with the State Law, as shown below in Table 1 – Impact Fund Summary. Table 1 is a summary of all the Impact Funds and shows the future revenue required in each fund to pay for both current projects and those included in the Capital Budget plan through 2015/16. With the exception of the Public Facilities - Civic Center, and Corporation Yard funds, all cash in the Impact Funds is committed to capital projects. The Sewer Connection, Library Impact, and Police Impact Funds do not show any capital improvement needs at this time; however, they are all repaying Internal loans.

Civic Center-Public Facility Fees: Funding for the environmental Impact Report (EIR) for the Civic Center project was provided in the 2009/10 CIP Budget and carried over to the 2010/11 budget year. This will be the first step towards a new Civic Center to be located near the

currently proposed public safety building in the East Downtown area. Current economic conditions have caused the City to pause in proceeding with this project until economic conditions improve. The Civic Center project will receive a significant portion of its funding from sources other than impact fees. The additional funding sources will be used first for the Public Safety Building/Dispatch Communication Center before the Civic Center project will proceed.

Corporation Yard-Public Facilities Fees: The purchase of the remaining Edison property (adjacent to the existing Corporation Yard) was included in the 2009/10 CIP budget for the General Fund, Transit, and the Solid Waste funds. This purchase was delayed by soil contamination concerns. The cleanup of this property has recently been completed and the purchase is moving forward. At the time this purchase is brought to Council for approval, the portion to be paid by the Corp Yard impact fee will be determined and appropriated.

The Sewer Connection Impact fees are repaying a loan from the Wastewater Operations Fund for prior year capital improvements. The balance remaining on the loan from the Wastewater Operations Fund as of June 30, 2010 is \$2,485,763. In addition to the loan, the Sewer Connection Fund has an outstanding bond of \$2,611,645. The loan and bond represent the Sewer Connection Funds portion of the 2001 Wastewater Treatment Plant (WWTP) expansion.

The Library rehabilitation has been completed and the final retention has been paid. The Library Impact fund is repaying an advance from the General Fund. The balance of the loan as of June 30, 2010 is \$269,189. Council approved the loan for the Library rehabilitation project knowing that there weren't enough funds to complete the project and the General Fund would have to advance the funds.

The Police Impact Fund is paying for dispatch studies being done. The fund is repaying an advance from the General Fund for previous capital projects, such as the two police precincts. The balance of the loan as of June 30, 2010 is \$508,760. When Council decides to move forward with the new public safety building it will be brought back to Council for approval to appropriate more funds.



Table 1 – Impact Fund Summary (\$ in thousands)

**SUMMARY REPORT**  
**2009/10 Impact Fee Funds**  
**( In thousands)**

Fund	Beginning Cash Balance 7/1/09	Total Revenue	Total Expenditures	Ending Cash Balance 6/30/10	C.I.P Money Appropriated 6/30/10	Ending Resources Available	Bond/Internal Loan Balances	Future C.I.P. Projects 2010/11-2015/16	Future Required Revenue
Public Facility - Civic Center Impact Fund (1041)	\$2,755	\$167	(\$8)	\$2,914	(\$75)	\$2,839	\$0	\$0	*
Public Facility - Corporation Yard Impact Fund (1043)	425	27	(1)	450	0	450	0	0	**
Public Facility - Library Impact Fund (1045)	(53)	13	(256)	(296)	0	(296)	0	0	296
Police Impact Fund (1051)	(699)	193	(28)	(533)	(1,747)	(2,280)	0	0	2,280
Fire Impact Fund (1061)	(2,211)	212	(86)	(2,086)	(838)	(2,924)	0	(424)	3,349
Park & Recreation Facilities Fund (1211)	9,676	821	(1,319)	9,178	(6,435)	2,743	0	(18,606)	15,863
Storm Sewer Construction Fund (1221)	1,725	567	(1,419)	873	(1,056)	(183)	0	(4,646)	4,829
Wastewater Trunk Line Construction (1231)	7,163	2,278	(823)	8,618	(5,104)	3,514	(669)	(12,370)	9,525
Sewer Connection Fund (1232)	(7)	378	(377)	(6)	0	(6)	(5,097)	0	5,104
Transportation Impact Fund (1241)	3,041	2,414	(4,107)	1,349	(6,313)	(4,965)	(2,783)	(20,874)	28,622
Waterways Fund (1251)	1,181	347	(465)	1,063	(1,095)	(32)	0	(700)	732
Northeast Capital Improvement Fund (1711)	212	7	(7)	211	(111)	100	0	(175)	75
<b>Total</b>	<b>\$23,206</b>	<b>\$7,424</b>	<b>(\$8,897)</b>	<b>\$21,733</b>	<b>(\$22,774)</b>	<b>(\$1,041)</b>	<b>(\$8,550)</b>	<b>(\$57,795)</b>	<b>\$70,675</b>

\* Civic Center Impact Fund, along with other funding sources, will be used to build the new Civic Center. The Civic Center project is currently estimated to cost more than \$20 million. This project will be brought back to Council at a later date to discuss funding and timelines. See pg 2 of Impact fee Report for more details.

\*\* Corporation Yard Impact Fund will be used in conjunction with other funds to purchase the Edison property adjacent to the Corp Yard. Staff is currently working on this acquisition and will be recommending Council to appropriate funds this fiscal year.

The Impact Fee Report shows an amount for future projects. This future project amount is taken from the 6 Year Capital Plan that was adopted with the City's 2 Year Budget in June 2010. The Capital Plan is amended throughout the year as Council approves projects that need to move forward or as opportunities arise.

**Summary/background:**

**Prior Council/Board Actions:** Approval of the various Impact Fees and the 2008-2010 C.I.P. Budget.

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:** 2009-10 Impact Fee Report

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

I move the City Council receive and file the 2009-10 Impact fee Report as required by Government Code Section 66006 (a) and (b).

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

# City of Visalia



## IMPACT FEE REPORT

**Fiscal Year 2009-10**

# 09/10 IMPACT FEE REPORT

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**SUMMARY REPORT  
2009/10 Impact Fee Funds**

Fund	Beginning Cash Balance 7/1/09***	Total Revenue	Total Expenditures	Ending Cash Balance 6/30/10	C.I.P Money Appropriated 6/30/10	Ending Resources Available	Bond/Internal Loan/ Developer Agreement Balances	Future C.I.P. Projects 2010/11-2015/16	Future Required Revenue
Public Facility - Civic Center Impact Fund (1041)*	\$2,755,038	\$166,784	(\$8,063)	\$2,913,759	(\$75,000)	\$2,838,759	\$0	\$0	*
Public Facility - Corporation Yard Impact Fund (1043)*	424,562	26,794	(1,179)	450,177	0	450,177	0	0	*
Public Facility - Library Impact Fund (1045)**	(53,410)	13,105	(255,885)	(296,189)	0	(296,189)	0	0	296,189
Police Impact Fund (1051)	(698,752)	193,405	(27,525)	(532,872)	(1,746,897)	(2,279,769)	0	0	2,279,769
Fire Impact Fund (1061)	(2,211,318)	211,644	(86,295)	(2,085,969)	(838,262)	(2,924,231)	0	(424,410)	3,348,641
Park & Recreation Facilities Fund (1211)	9,676,178	821,069	(1,319,231)	9,178,015	(6,434,980)	2,743,036	0	(18,606,000)	15,862,964
Storm Sewer Construction Fund (1221)	1,724,913	567,199	(1,419,209)	872,903	(1,055,970)	(183,067)	0	(4,646,000)	4,829,067
Wastewater Trunk Line Construction (1231)	7,162,618	2,277,743	(822,848)	8,617,512	(5,103,533)	3,513,979	(669,145)	(12,370,000)	9,525,166
Sewer Connection Fund (1232)**	(7,140)	377,901	(377,212)	(6,450)	0	(6,450)	(5,097,408)	0	5,103,858
Transportation Impact Fund (1241)	3,041,229	2,414,172	(4,106,845)	1,348,556	(6,313,312)	(4,964,756)	(2,783,229)	(20,873,700)	28,621,685
Waterways Fund (1251)	1,180,581	347,334	(465,126)	1,062,789	(1,095,175)	(32,386)	0	(700,000)	732,386
Northeast Capital Improvement Fund (1711)	211,638	6,692	(7,183)	211,148	(111,160)	99,988	0	(175,000)	75,012
<b>Total</b>	\$23,206,135	\$7,423,843	(\$8,896,600)	\$21,733,378	(\$22,774,288)	(\$1,040,910)	(\$8,549,782)	(\$57,795,110)	\$70,674,738

\*The Public Facility Civic Center Fund (1041) and Corporation Yard Fund (1043) each show no funding is required for future capital projects. These funds will be brought to Council to appropriate funds as projects move forward. For more information, please see the notes included on page 2 and page 4.

\*\*The Public Facility-Library Impact Fund (1045), Police Impact Fund, and Sewer Connection Impact Fund (1232) show no funding for future projects. Each of these funds has current commitments in excess of their current resources. These funds will be reviewed in the next 2-year capital budget process to determine their ability to fund additional projects.

\*\*\*Details of adjustments to Beginning Cash Balance made in accordance with the 2008/09 Audit are provided in the footnotes of the Fund Balance Summary for each Impact fee fund.

◆ Funds showing negative ending resources available have appropriations which exceed their current available cash. These funds may seek financing through a General Fund advance, Bond, or Bank Loan to be repaid once sufficient impact fees have been collected.

◆◆ Details of Bond/Internal Loan/Developer Agreement Balances are provided in the footnotes of the Fund Balance Summary for each Impact fee fund.

A detailed list of Future CIP projects is provided in the attached 6 Year Capital Improvement Program that was approved by Council June 2010 with the City's 2-Year Budget.

## Public Facility - Civic Center Impact Fund (1041) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ 2,755,038
 <u>Revenue</u>	
Investment Earnings	30,845
Public Facility - Civic Center Impact Fee	135,939
Total Revenues	166,784
 <u>Expenditure</u>	
Servicing Fees/Audit/Revenue/Accounting	(8,063)
Capital Improvement Program	0
Total Expenditure	(8,063)
 <b>Ending Cash Balance 6/30/10</b>	 <b>2,913,759</b>
C.I.P Money Appropriated 6/30/10	(75,000)
Ending Resources Available	2,838,759
Bonds/Internal Loan Balances	0
Future C.I.P. Projects 2010/11-2015/16	0
<b>Future Required Revenue</b>	<b>\$ (2,838,759)</b>

\* Although the Civic Center fund amounts don't show it yet, the Civic Center Fund will share in the cost of the Civic Center project which is currently estimated to have a cost well above \$20 million. The CIP appropriation shown is the cost of an Environmental Impact Report (EIR) for the Civic Center project. This is a necessary first step to move forward on this project currently planned for the East Downtown Area.

**Public Facility - Civic Center Fund (1041)  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from Public Facility impact fees collected at the time of building permit issuance. Funds are to only be used for new facilities, and not for operation and maintenance.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Civic Center Environmental Impact Report (EIR) 1041-0-72-0-8100	75,000	0	0			X	To be completed with the General Plan EIR. Contract awarded December 2009 and is estimated to be complete January 2011
<b>Expenditure Total</b>		\$ -	\$ -				



## Public Facility - Corporation Yard Impact Fund (1043) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ 424,562
<b>Revenue</b>	
Investment Earnings	4,757
Public Facility - Corporation Yard Impact Fee	22,037
Total Revenues	26,794
<b>Expenditure</b>	
Servicing Fees/Audit/Revenue/Accounting	(1,179)
Capital Improvement Program	0
Total Expenditure	(1,179)
<b>Ending Cash Balance 6/30/10</b>	<b>450,177</b>
C.I.P Money Appropriated 6/30/10	0
Ending Resources Available	450,177
Bonds/Internal Loan Balances	0
Future C.I.P. Projects 2010/11-2015/16	0
<b>Future Required Revenue</b>	<b>\$ (450,177)</b>

\*The Corporation Yard Fund shows \$0 is required for future capital projects. The purchase of the remaining Edison property (adjacent to the existing Corporation Yard) was included in the 2009/10 CIP budget for the General Fund, Transit, and the Solid Waste funds. As of 6/30/10 this purchase has not been completed. At the time this purchase is made, the portion to be paid by the Corp Yard impact fee will be determined.

**Public Facility - Corporation Yard Fund (1043)  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from Public Facility impact fees collected at the time of building permit issuance. Funds are to only be used for new facilities, and not for operation and maintenance.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
This fund has no projects in FY 09-10.							
A Capital Improvement Plan will be brought to Council at a later date.							
Expenditure Total	\$	-	\$	-			

## Public Facility - Library Impact Fund (1045) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ (53,410)
 <u>Revenue</u>	
Investment Earnings	0
Public Facility - Library Impact Fee	13,105
Total Revenues	13,105
 <u>Expenditure</u>	
Servicing Fees/Audit/Revenue/Accounting	(993)
Interest on interfund advance	(4,892)
Capital Improvement Program	(250,000)
Total Expenditure	(255,885)
 <b>Ending Cash Balance 6/30/10*</b>	 <b>(296,189)</b>
 C.I.P Money Appropriated 6/30/10	 0
 Ending Resources Available	 (296,189)
 Bonds/Internal Loan Balances	 0
 Future C.I.P. Projects 2010/11-2015/16	 0
 <b>Future Required Revenue</b>	 <b>\$ 296,189</b>

\* The ending negative cash balance in this fund represents an obligation in the form of a General Fund advance. At the end of each month, the cash balance of this fund will be swept into the General Fund advance and interest charged at the City of Visalia portfolio earnings rate + 1%. The annual rate charged on General Fund advances averaged 2.18% in the 2009/10 Fiscal Year.

**Public Facility - Library Fund (1045)  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from Public Facility impact fees collected at the time of building permit issuance. Funds are to only be used for new facilities, and not for operation and maintenance.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Rehabilitate and Improve the Children's Library 1045-0-72-0-9921	500,000	(250,000)	(250,000)	100%	X	Fall 2008	Project Complete. Final retention was paid on this project September 2009.
Expenditure Total	500,000 \$	(250,000) \$	(250,000) \$				

City of Visalia  
**PUBLIC FACILITY IMPACT FEES**

Resolution No. 07-49  
 Resolution No. 08-32

Effective August 6, 2007  
 Effective August 4, 2008

Land Use / Size	Demand Unit <sup>1</sup>	Civic Center <sup>2</sup>	Corporation Yard	Library	Total
<b>Residential</b>					
Single Family Detached	D.U.	\$361.30	\$58.54	\$46.65	\$466.49
Single Family Attached-includes Duplex	D.U.	\$364.72	\$59.10	\$47.09	\$470.91
Multi-Family	D.U.	\$321.19	\$52.04	\$41.47	\$414.70
Mobile Home	D.U.	\$249.98	\$40.50	\$32.28	\$322.76
<b>Commercial / Shopping Center</b>					
under 25,000 sq. ft. gross area	1,000 Sq Ft	\$391.05	\$63.37	NA	\$454.42
25,001 to 50,000 sq. ft. gross area	1,000 Sq Ft	\$335.19	\$54.32	NA	\$389.51
50,001 to 100,000 sq. ft. gross area	1,000 Sq Ft	\$293.29	\$47.52	NA	\$340.81
over 100,000 sq. ft. gross area	1,000 Sq Ft	\$234.63	\$38.02	NA	\$272.65
<b>Office</b>					
Medical-Dental Office	1,000 Sq Ft	\$475.71	\$77.08	NA	\$552.79
under 25,000 sq. ft. gross area	1,000 Sq Ft	\$486.86	\$78.89	NA	\$565.75
25,001 to 50,000 sq. ft. gross area	1,000 Sq Ft	\$458.70	\$74.33	NA	\$533.03
50,001 to 100,000 sq. ft. gross area	1,000 Sq Ft	\$432.89	\$70.15	NA	\$503.04
<b>Industrial</b>					
Business Park	1,000 Sq Ft	\$370.53	\$60.04	NA	\$430.57
Mini-Warehouse	1,000 Sq Ft	\$5.21	\$0.84	NA	\$6.05
Warehousing	1,000 Sq Ft	\$149.58	\$24.25	NA	\$173.83
Manufacturing	1,000 Sq Ft	\$210.40	\$34.10	NA	\$244.50
Light Industrial	1,000 Sq Ft	\$270.76	\$43.87	NA	\$314.63
<b>Other Nonresidential</b>					
Nursing Home	bed	\$42.45	\$6.88	NA	\$49.33
Hospital	1,000 Sq Ft	\$396.39	\$64.23	NA	\$460.62
Day Care	student	\$18.68	\$3.03	NA	\$21.71
High School	student	\$10.16	\$1.65	NA	\$11.81
Elementary School	student	\$9.63	\$1.56	NA	\$11.19
Lodging	room	\$83.43	\$13.53	NA	\$96.96

<sup>1</sup> D.U. = dwelling units

<sup>2</sup> Impact fees for the civic center include both the administrative building and parking structure.

## Police Impact Fund (1051) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ (698,752)
<u>Revenue</u>	
Police Impact Fee	192,489
Refund**	(591)
Misc Revenues	1,508
Total Revenues	193,405
<u>Expenditure</u>	
Servicing Fees/Audit/Revenue/Accounting	(7,688)
Interest Expense-General Fund Advance	(16,673)
Capital Improvement Program	(3,164)
Total Expenditure	(27,525)
<b>Ending Cash Balance 6/30/10*</b>	<b>(532,872)</b>
C.I.P Money Appropriated 6/30/10	(1,746,897)
Ending Resources Available	(2,279,769)
Bonds/Internal Loan Balances	0
Future C.I.P. Projects 2010/11-2015/16	0
<b>Future Required Revenue</b>	<b>\$ 2,279,769</b>

\* The ending negative cash balance in this fund represents an obligation in the form of a General Fund advance. At the end of each month, the cash balance of this fund will be swept into the General Fund advance and interest charged at the City of Visalia portfolio earnings rate + 1%. The annual rate charged on General Fund advances averaged 2.18% in the 2009/10 Fiscal Year.

\*\* There was an error in a refund of money that should have been for another fund. It will be corrected in the Fiscal Year 2010/11.

**Police Impact Fund - 1051  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from Public Safety impact fees collected at the time of building permit issuance. Funds are to only be used for new facilities, equipment, and not for operation and maintenance.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Design/construct Public Safety Building *3011-0-72-0-9750	4,606,097	(8,328)	(3,164)	38%		X	Design on hold to evaluate available funding. Working on dispatch studies.
<b>Expenditure Total</b>	4,606,097	(8,328)	(3,164)				

\* Note: Projects with a C.I.P. number starting with 3011 are funded by more than one fund.

## Fire Impact Fund (1061) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ (2,211,318)
 <u>Revenue</u>	
Fire Impact Fee	209,158
Misc Revenues	2,486
Total Revenues	211,644
 <u>Expenditure</u>	
Servicing Fees/Audit/Revenue/Accounting	(38,679)
Interest Expense-General Fund Advance	(43,093)
Capital Improvement Program	(4,523)
Total Expenditure	(86,295)
 <b>Ending Cash Balance 6/30/10**</b>	
	<b>(2,085,969)</b>
C.I.P Money Appropriated 6/30/10	(838,262)
Ending Resources Available	(2,924,231)
Bonds/Internal Loan Balances	0
Future C.I.P. Projects 2010/11-2015/16	(424,410) *
<b>Future Required Revenue</b>	<b>\$ 3,348,641</b>

\* A detail list of Future CIP projects is listed in the attached 6 Year Capital Improvement Program that was approved by Council June 2010 with the City's 2 Year Budget.

\*\* The ending negative cash balance in this fund represents an obligation in the form of a General Fund advance. At the end of each month, the cash balance of this fund will be swept into the General Fund advance and interest charged at the City of Visalia portfolio earnings rate + 1%. The annual rate charged on General Fund advances averaged 2.18% in the 2009/10 Fiscal Year.



**Fire Impact Fund - 1061  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from Public Safety impact fees collected at the time of building permit issuance. Funds are to only be used for new facilities, equipment, and not for operation and maintenance.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Design/install Pre-Emption System *3011-0-72-0-9531	462,000	0	0	0%		X	Work with Fire to determine additional locations for remaining funding.
Design/construct Public Safety Building *3011-0-72-0-9750	4,606,097	(8,328)	(1,181)	14%		X	Design on hold to evaluate available funding. Working on dispatch studies.
Purchase land for SE Fire Station *3011-0-72-0-9776	111,500	(5,064)	(3,342)	66%		X	Fire leases a station at the Lovers Lane/Walnut CA Fire site. Station will now be a SW Station instead of a SE station. In negotiations to purchase property around Roeben/Tulare area.
<b>Expenditure Total</b>		<b>(13,392)</b>	<b>(4,523)</b>				

\* Note: Projects with a C.I.P. number starting with 3011 are funded by more than one fund.

City of Visalia  
**PUBLIC SAFETY IMPACT FEES**

Resolution No. 07-49  
 Resolution No. 08-32

Effective August 6, 2007  
 Effective August 4, 2008

LAND USE DESIGNATION		FIRE PROTECTION FACILITIES	POLICE FACILITIES
<b>RESIDENTIAL</b>		per gross acre	per gross acre
Rural	RA	\$1,549.68	\$223.13
Low Density	RLD	\$1,549.68	\$1,417.74
Medium Density	RMD	\$1,549.68	\$3,573.04
High Density	RHD	\$1,549.68	\$6,078.16
<b>COMMERCIAL</b>			
Convenience Center	CC	\$1,549.68	\$7,082.61
Neighborhood Center	CN	\$1,549.68	\$7,082.61
Shopping/Office Center	CSO	\$1,549.68	\$7,082.61
Community Center	CCM	\$1,549.68	\$7,082.61
Central Business District	CDT	\$1,549.68	\$7,082.61
Regional Center	CR	\$1,549.68	\$7,082.61
Highway	CH	\$1,549.68	\$2,171.11
Service	CS	\$1,549.68	\$1,718.86
<b>OFFICE</b>			
Professional/ Administration	PAO	\$1,549.68	\$2,881.83
Business Research Park	BRP	\$1,549.68	\$2,881.83
<b>INDUSTRIAL</b>			
Light Industrial	IL	\$1,549.68	\$207.28
Heavy Industrial	IH	\$1,549.68	\$207.28
<b>PUBLIC / INSTITUTIONAL</b>			
Public / Institutional	PI	\$1,549.68	\$816.75
<b>PARKS</b>			
Parks	PARK	\$1,549.68	\$243.85
<b>AGRICULTURE</b>			
Agriculture	A	\$1,549.68	\$334.02
<b>CONSERVATION</b>			
Conservation	C	\$1,549.68	\$214.58

## Park & Recreation Facilities Fund (1211) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ 9,676,178
<u>Revenue</u>	
Investment Earnings	103,701
Park & Recreation Fees	716,976
Misc Revenues	392
Total Revenues	821,069
<u>Expenditure</u>	
Operating Expenses	1,211
Servicing Fees/Audit/Revenue/Accounting	(51,165)
Capital Improvement Program	(1,269,278)
Total Expenditure	(1,319,231)
<b>Ending Cash Balance 6/30/10</b>	<b>9,178,015</b>
C.I.P Money Appropriated 6/30/10	(6,434,980)
Ending Resources Available	2,743,036
Bonds/Internal Loan Balances	0
Future C.I.P. Projects 2010/11-2015/16	(18,606,000) *
<b>Future Required Revenue</b>	<b>\$ 15,862,964</b>

\* A detail list of Future CIP projects is listed in the attached 6 Year Capital Improvement Program that was approved by Council June 2010 with the City's 2 Year Budget.

**Park & Recreational Facilities Fund - 1211  
Project Status Report (FY 09-10)**

**Fund Description**

This fund includes monies from fees paid by developers in lieu of providing parks and open space. Funds are to be used only for open space acquisition and providing park and other recreational facilities.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Soroptimist Park- 4.5 acre neighborhood park S. of Douglas between Santa Fe and Burke 1211-0-72-0-9598	1,308,630	(69,970)	(69,970)	100%		X	Spring 2009 Notice of completion approved by Council 6/15/09. Retention will be released in FY 10/11.
Purchase land for Hillsdale Neighborhood Park- to serve area N. of Hwy 198 to Goshen Ave from Shirk to Akers 1211-0-72-0-9719	96,000	0	0	0%		X	Land purchased in FY 07/08 in conjunction with the West 198 Scenic Corridor Reserve. Project balance was released in FY 10/11.
Develop Hillsdale Neighborhood Park to serve area N. of Hwy 198 to Goshen Ave from Shirk to Akers 1211-0-72-0-9800	200,000	0	0	0%		X	Current funding is to develop master plan for a 4 acre parcel. Staff is currently waiting for plans for adjoining properties and annexation. Construction is not planned until FY 13/14.
Babcock Park (Lion's Park)-4.5 Acre Neighborhood Park N. or Ferguson between Shirk and Roeben 1211-0-72-0-9743	1,748,500	(228,414)	(228,414)	100%		X	Project completed November 2010. Notice of completion will be filed February 2011.
Acquire/develop Shannon Ranch park 1211-0-72-0-9789	400,000	0	0	0%		X	Project balance released in FY 10/11. Project will not be paid for from Impact Fees due to 2 pocket parks already existing.
Update Conservation, Open Space, Recreation & Parks Element 1211-0-72-0-9931	102,250	0	0	0%		X	To be completed in conjunction with General Plan Update.
Sierra Village Park/Basin West of Demaree south of HWY 198 1211-0-72-0-9934	550,000	0	0	0%		X	Project driven by expansion of retirement center in this area.
Rec Park Playground - Universal Access **3011-0-72-0-8021	558,334	(58,420)	(1,097)	0%		X	Design Complete. Construction started fall of 2010. Project is scheduled to be completed March 2011.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Phase 2 Community Sports Park *3011-0-72-0-8029	6,020,000	(1,346,003)	(872,292)	65%		X	Notice of completion filed July 2010. Retention released Nov 2010.
Develop Creekside Neighborhood Park/Storm Basin- 9 acres to serve area S of Hwy 198 to Walnut Ave and E. of Lovers Lane * 3011-0-72-0-9413	1,625,796	(36,899)	(28,892)	78%		X	Design completed. Construction Summer/Fall 2011.
Dans Lane Neighborhood Park *3011-0-72-0-9579	983,623	(59,415)	(52,166)	88%		X	Design Complete. Construction bid to close January 7, 2011. Construction estimated to begin February 2011.
East Civic Center Park *3011-0-72-0-9920	713,000	(2,555)	(2,555)	100%		X	Negotiating set back ROW acquisition then will proceed with design. Project is currently Frozen.
Virmargo/Goshen Neighborhood Park - 6 acre park/storm basin W. of Lovers Land between Houston and Goshen. *3011-0-72-0-9932	1,160,000	(2,079)	(1,242)	60%		X	Acquisition complete. Funding released in FY 10/11 and will be re-appropriated as development occurs.
Develop a mini park as a tribute to sister city Miki City *3011-0-72-0-9933	450,000	(221)	(221)	100%		X	Project On Hold per Council action 4/6/09.
MillCreek Garden Park Playground - at Lovers Lane & Mill Creek Parkway. *3011-0-72-0-9936	340,212	(17,527)	(12,428)	71%		X	Construction estimated to be completed January 2011.
<b>Expenditure Total</b>	<b>16,256,345</b>	<b>(1,821,503)</b>	<b>(1,269,278)</b>				

\* Note: Projects with a C.I.P. number starting with 3011 are funded by more than one fund.

City of Visalia  
**PARK ACQUISITION & DEVELOPMENT IMPACT FEES**

Resolution No. 06-44  
 Resolution No. 07-49  
 Resolution No. 08-32

Effective August 7, 2006  
 Effective August 6, 2007  
 Effective August 4, 2008

	ACQUISITION (\$/Unit)	DEVELOPMENT (\$/Unit)
Single-Family	\$ 1,496.70	\$ 1,718.74
Multi-Family	\$ 1,318.06	\$ 1,513.60
Mobile Home	\$ 1,025.86	\$ 1,178.05

**NOTE:**

The Acquisition Fee shall be paid on each allowable dwelling unit prior to the approval of the final subdivision or parcel map. Where no final subdivision or parcel map is recorded prior to issuance of a building permit for a residential development, the Acquisition Fee shall be paid at the time of issuance of the building permit or permits according to the Acquisition Fee schedule in effect at the time of issuance of such building permits. [7062(a)]

The Development Fee shall be paid at the time of issuance of a building permit or permits according to the Development Fee schedule in effect at the time of issuance of such building permits. [7062(a)]

## Storm Sewer Construction Fund (1221) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ 1,724,913
 <u>Revenue</u>	
Investment Earnings	9,967
Storm Drain Impact Fees	113,515
Storm Master Plan Fees	441,630
Misc Revenues	2,087
Total Revenues	567,199
 <u>Expenditure</u>	
Operating Expenses	(5,963)
Servicing Fees/Audit/Revenue/Accounting	(19,991)
Capital Improvement Program	(1,393,255)
Total Expenditure	(1,419,209)
 <b>Ending Cash Balance 6/30/10</b>	 <b>872,903</b>
C.I.P Money Appropriated 6/30/10	(1,055,970)
Ending Resources Available	(183,067)
Bonds/Internal Loan Balances	0
Future C.I.P. Projects 2010/11-2015/16	(4,646,000) *
 <b>Future Required Revenue</b>	 <b>\$ 4,829,067</b>

\* A detail list of Future CIP projects is listed in the attached 6 Year Capital Improvement Program that was approved by Council June 2010 with the City's 2 Year Budget.

**Storm Sewer Construction Fund - 1221  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from Storm Sewer impact fees collected at the time of development. Funds are to be used only for construction of new storm sewer lines to implement the Storm Sewer Master Plan.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Retention Basin at Santa Fe and "K" 1221-0-72-0-8105	7,000	0	0	0%		X	Project on-hold due to no development activity with the residential project.
Plaza Drive Storm Basin 1221-0-72-0-8106	100,000	(12,297)	(12,297)	100%		X	Negotiations in progress to acquire Phase 1 - 2.6 acres. Phase 2 is a future acquisition and expansion to the west.
Storm Water Master Plan 1221-0-72-0-9067	425,000	(5,154)	(5,154)	100%	X		Proceed with Phase 2 in 2010/2011 with the General Plan Update.
Acquire/construct Pinkham & Caldwell pond 1221-0-72-0-9097	450,000	0	0	0%	X		Landscaping and property acquisition complete. Construction reimbursement pending.
Subdivision Oversize Storm Facilities 1221-0-72-0-9229	100,000	(668,666)	(668,666)	100%		X	Reimburse developers for subdivision oversizing storm sewer master plan lines. This project is ongoing and is budgeted annually based on an estimate.
Construct 4.7-acre Cameron Creek storm basin located at the southwest corner of Cameron Ave. and West St. 1221-0-72-0-9250	455,800	(15,830)	(15,830)	100%	X		Notice of Completion for project was August 2008. Developer reimbursement completed in FY 09/10. Remainder will be released in FY 10/11.
Construct Goshen & Linwood pond 1221-0-72-0-9430	425,000	(16,256)	(16,256)	0%		X	All phases completed. Grant funding has been secured to modify the basin perimeter for pedestrian circulation.
Acquire/construct a basin W of RD 80 & N of Goshen 1221-0-72-0-9431	175,000	0	0	0%	X		Property Acquisition completed. Design and construction to be completed in future years.
Construct River Run Ranch pond 1221-0-72-0-9529	254,510	(133,168)	(133,168)	100%	X		Landscaping completed. Pump phase to be completed in future years.



Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Enlarge existing 3.7-acre Linwood Ranch storm basin located at the northwest corner of Visalia Pkwy and Chinowth St. 1221-0-72-0-9774	345,000	0	0	0%	X		Project completed by Centex with West Park subdivision. Notice of completion on project was April 2008. Waiting on reimbursement request from developer before project can be closed.
Install a storm drain line in Highland St from Ferguson Ave to Fairview Park/Pond and expand the storage capacity of the Park/Pond. 1221-0-72-0-9796	350,000	(18,428)	(18,428)	100%	X	Spring 2011	Working on easement. Project to bid Winter 2010 and construction to begin Spring 2011.
Construct Shannon Ranch Master Plan storm drain lines 1221-0-72-0-9937	570,000	0	0	0%		X	On-going. Waiting on reimbursement request from developer before project can be closed.
Construct the Rigglin Avenue storm drain line 1221-0-72-0-9938	500,000	0	0	0%	X		Project and reimbursement completed. Project balance released in FY 10/11.
Construct the Roeben Street storm drain line from Doe Ave. to the Lakeside Basin 1221-0-72-0-9940	521,840	(427)	(427)	100%	X		Basin excavation and project plans in progress. Drainage easement secured. To be constructed through a developer reimbursement agreement in 2011.
Develop a 6 acre park/storm basin at St Johns Park Way & Rd 148 *3011-0-72-0-8050	70,100	(147)	(147)	100%		X	Phase 1 storm drainage component completed in 2009. Project balance for Phase 1 released in FY 10/11. Phase 2 park component is funded in 2011/12.
Develop Creekside Neighborhood Park/Storm Basin- 9 acres to serve area S of Hwy 198 to Walnut Ave and E. of Lovers Lane * 3011-0-72-0-9413	1,625,800	(36,899)	(8,007)	22%	X		Design completed. Construction Summer/Fall 2011.
Basin S of Millcreek, N of Mineral King, E of McAuliff Basin. * 3011-0-72-0-9557	541,570	(473,629)	(176,281)	37%	X		Finished Construction, working on punch list items.
Acquire & develop a 6 acre neighborhood park/basin in the area of Goshen & Virmargo St. *3011-0-72-0-9932	1,160,000	(2,079)	(837)	40%		X	Acquisition complete. Funding released in FY 10/11 and will be re-appropriated as development occurs.
Mooney Storm Drain and Pump Installation *3011-0-72-0-9939	477,915	(349,022)	(337,756)	97%	X	March 2011	Construction in progress. Completion expected by March 2011.
<b>Expenditure Total</b>	<b>8,554,535</b>	<b>(1,732,002)</b>	<b>(1,393,255)</b>				

\* Note: Projects with a C.I.P. number starting with 3011 are funded by more than one fund.

City of Visalia  
**STORM DRAINAGE & WATERWAYS IMPACT FEES**

Resolution No. 07-49  
 Resolution No. 08-32

Effective August 6, 2007  
 Effective August 4, 2008

(\$per gross acre)

LAND USE	PERCENT IMPERVIOUS	ACQUISITION FEE	DEVELOPMENT FEE	TOTAL FEE	WATERWAY ACQUISITION FEE
<b>RESIDENTIAL</b>					
Rural	20	\$ 1,122.51	\$ 124.72	1,247.23	\$ 1,147.15
Low Density	43	2,413.39	268.15	2,681.54	2,466.17
Medium Density	70	3,928.75	436.53	4,365.28	4,014.73
High Density	80	4,490.01	498.89	4,988.90	4,588.29
<b>COMMERCIAL</b>					
Convenience Center	95	\$ 5,331.89	592.43	5,924.32	5,448.72
Neighborhood Center	85	\$ 4,770.64	530.08	5,300.72	4,875.01
Shopping/Office Center	80	\$ 4,490.01	498.89	4,988.90	4,588.29
Community Center	75	\$ 4,209.40	467.71	4,677.11	4,301.56
Central Business District	95	\$ 5,331.89	592.43	5,924.32	5,448.72
Regional Center	90	\$ 5,051.28	561.25	5,612.53	5,161.96
Highway	95	\$ 5,331.89	592.43	5,924.32	5,448.72
Service	95	\$ 5,331.89	592.43	5,924.32	5,448.72
Professional/ Administration	70	\$ 3,928.75	436.53	4,365.28	4,014.73
<b>PUBLIC /INSTITUTIONAL</b>	60	\$ 3,367.52	374.16	3,741.68	3,441.36
<b>INDUSTRIAL</b>					
<b>Outside Industrial Park</b>					
Light Industrial	80	\$ 5,985.88	665.10	6,650.98	6,117.00
Heavy Industrial	90	\$ 6,734.15	748.24	7,482.39	6,881.59
<b>Industrial Park</b>	N/A	\$ 1,048.58	116.50	1,165.08	1,071.50

**NOTE:**

The Acquisition Fee shall be paid on each parcel of land within the 2020 Urban Development Boundary prior to the approval of the final subdivision or parcel map. When no final subdivision or parcel map is submitted for approval prior to the commencement of the work of any development on each parcel of land, the Acquisition Fee shall be paid prior to the commencement of the work of any development thereon.

The Development Fee shall be paid on each parcel of land prior to the commencement of the work of any development thereon.

## Wastewater Trunk Line Construction (1231)

### Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ 7,162,618
<b>Revenue</b>	
Investment Earnings	87,636
Trunk Line Capacity Fee	1,111,900
Front Footage Fee	81,855
Sewer Masterplan Fees	538,431
Transfers In	457,920
Miscellaneous Revenue	0
Total Revenues	2,277,743
<b>Expenditure</b>	
Bond Interest/Principal	(775,017)
Servicing Fees/Audit/Revenue/Accounting	(21,610)
Capital Improvement Program	(26,221)
Total Expenditure	(822,848)
 <b>Ending Cash Balance 6/30/10</b>	 <b>8,617,512</b>
C.I.P Money Appropriated 6/30/10	(5,103,533)
Ending Resources Available	3,513,979
Bonds/Internal Loan Balances	(669,145) *
Future C.I.P. Projects 2010/11-2015/16	(12,370,000) **
<b>Future Required Revenue</b>	<b>\$ 9,525,166</b>

\* Balance on the 2002 Wastewater Bond, as of 6/30/10, is \$669,145. The average interest rate for the bond is 3.93%.

The 2002 Wastewater Bond was approved for \$9.8m in 2002 to fund capital projects. The bond is split into the following funds:

1231 - Wastewater Trunkline Construction Fund	\$3,613,856
1232 - Sewer Connection Fund	3,613,856
4311 - Wastewater Treatment Plant Fund	2,581,254
	\$9,808,966

\*\* A detail list of Future CIP projects is listed in the attached 6 Year Capital Improvement Program that was approved by Council June 2010 with the City's 2 Year Budget.

**Wastewater Trunk Line Construction Fund - 1231  
Project Status Report (FY 09-10)**

**Fund Description**

This fund's revenues are derived from Sanitary Sewer and Trunk Line Connection Fees. Funds are to be used only for new sanitary sewer trunk line construction, and not for operation and maintenance.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Trunk lines Implementation 1231-0-72-0-9234	65,918	(516)	(516)	100%		X	Annual Project
Trunk line Over sizing (City's Share) 1231-0-72-0-9318	75,000	(24,953)	(24,953)	100%		X	Ongoing Project to reimburse developers for over-sizing trunklines.
Install Shirk sewer line between Walnut and Sunnyview 1231-0-72-0-9741	6,750,000	0	0	0%		X	Design to occur in FY 10/11 and construction estimated to occur in FY 12/13.
Install Mineral King trunk line 1231-0-72-0-9819	4,585,360	(751)	(751)	100%		X	Final design estimated to be completed in FY 10/11 and construction in FY 10/11-11/12.
Replace Mineral King Trunk Line (Tipton to Burke) & Burke (Mineral King to Willow) 1231-0-72-0-9990	290,000	0	0	0%		X	Design to occur in FY 10/11 and construction estimated to occur in FY 10/11-11/12.
Study sewer line extension for School/Burke/Oak area (Public Safety/Civic Center block) 1231-0-72-0-9991	50,000	0	0	0%		X	Study for infrastructure started in FY 10/11.
<b>Expenditure Total</b>	<b>11,816,278</b>	<b>(26,221)</b>	<b>(26,221)</b>				

\* Note: Projects with a C.I.P. number starting with 3011 are funded by more than one fund.

City of Visalia  
**CONNECTION FEES**  
**TRUNK LINE CAPACITY CHARGE**

Resolution No. 07-49  
Resolution No. 08-32

Effective August 6, 2007  
Effective August 4, 2008

<b>RESIDENTIAL</b>		
Single-Family	\$ 646.87	/unit
Multi-Family	\$ 365.85	/unit
Mobile Home Park	\$ 404.74	/space
<b>COMMERCIAL</b>		
Car Wash		
Self Service	\$ 1,000.35	/stall
Automatic	\$ 16,009.16	/each
Tourist and Trailer Camp	\$ 100.74	/space
Theater	\$ 5.30	/seat
Hotel/Motel	\$ 60.10	/room
Retail/Small Business	\$ 19.44	/1,000 square ft.
Shopping Center	\$ 14.13	/1,000 square ft.
Office	\$ 79.53	/1,000 square ft.
Service Station	\$ 1,000.35	/each
Restaurant		
Fast Food	\$ 3,702.71	/each
Walk-up	\$ 1,100.91	/each
Family-Type without Bar	\$ 49.50	/seat
Family-Type with Bar	\$ 53.03	/seat
Laundromat	\$ 49.50	/machine
<b>INSTITUTIONAL</b>		
Hospital	\$ 250.97	/bed
Jr. and Sr. High School	\$ 24.74	/student
Elementary School	\$ 14.13	/student
Church without Kitchen	\$ 5.30	/seat
Church with Kitchen	\$ 7.07	/seat
<b>LIGHT INDUSTRY</b>		
	\$ 19.44	/1,000 square ft.
<b>INDUSTRY</b>		
Outside Industrial Park	\$ 1.36	/gallon per day (peak flow)
Inside Industrial Park	\$ 0.55	/gallon per day (peak flow)

## Sewer Connection Fund (1232) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ (7,140)
 <u>Revenue</u>	
Treatment Connection Fees	377,901
Total Revenues	377,901
 <u>Expenditure</u>	
Internal Loan Payment to operation Fund	(29,994) *
Bond Interest/Principal - 2002 Waste Water Const. Bond	(175,017) **
Transfer Out	(142,080)
Servicing Fees/Audit/Revenue/Accounting	(30,121)
Total Expenditure	(377,212)
 <b>Ending Cash Balance 6/30/10***</b>	 <b>(6,450)</b>
 C.I.P Money Appropriated 6/30/10	 0
 Ending Resources Available	 (6,450)
2002 Bond/Internal Loan Balances - Collection System	(5,097,408)
Future C.I.P. Projects 2010/11-2015/16	0
<b>Future Required Revenue</b>	<b>\$ 5,103,858</b>

\* Balance on the loan from the Wastewater Fund, as of 6/30/10, is \$2,485,763

\*\* Balance on the 2002 Wastewater Bond, as of 6/30/10, is \$2,611,645. The average interest rate for the bond is 3.93%.

The 2002 Wastewater Bond was approved for \$9.8m in 2002 to fund capital projects. The bond is split into the following funds:

1231 - Wastewater Trunkline Construction Fund	\$3,613,856
1232 - Sewer Connection Fund	3,613,856
4311 - Wastewater Treatment Plant Fund	2,581,254
	\$9,808,966

\*\*\* The ending negative cash balance in this fund represents an obligation in the form of a General Fund advance. At the end of each month, the cash balance of this fund will be swept into the General Fund advance and interest charged at the City of Visalia portfolio earnings rate + 1%. The annual rate charged on General Fund advances averaged 2.18% in the 2009/10 Fiscal Year.

**Sewer Connection Fund (1232)  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from Treatment Plant connection fees. They are to be used only for Treatment Plant expansions. Funds are not to be used for operation and maintenance.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
This fund had no projects in FY 09-10							
Fees were used to pay 2002 Bond Payments							
Expenditure Total		\$ -	\$ -				

City of Visalia  
**CONNECTION FEES**  
**SEWER MAIN FACILITIES CHARGES**

Resolution No. 07-49  
 Resolution No. 08-32  
 Resolution No. 08-32  
 Resolution No. 08-32  
 Contract# C10008

Effective August 6, 2007  
 Effective July 1, 2008  
 Effective August 4, 2008  
 Effective July 1, 2009  
 Effective September 21, 2009

<b>Front Foot</b>	\$ 35.07 /foot
<b>SINGLE-FAMILY RESIDENTIAL</b>	
<b>EXISTING LATERAL AND WYE</b>	
Connection of a single-family residential dwelling with an existing lateral and wye to city sewer system	\$ 6,518.17 /unit includes trunk line capacity and treatment plant connection charge; front foot, lateral, wye, and plumbing permit fee
<b>NON-EXISTING LATERAL AND WYE</b>	
Residential trench patch, when lateral and wye are not existing	\$ 197.00 /unit Unit charge is comprised of multiple fees
<b>Per Contract - C10008, effective September 21, 2009</b>	
<b>4" lateral</b>	
R-1 Zone	\$ 98.00 /foot
R-M, P-A, C, & M Zones	\$ 110.00 /foot
<b>6" Lateral</b>	
R-1 Zone	\$ 102.00 /foot
R-M, P-A, C, & M Zones	\$ 114.00 /foot
<b>Wyes</b>	
4"	\$ 120.00 /each
6"	\$ 126.00 /each
<b>PERMIT FEES:</b>	
Septic Hauler Annual Permit	\$ 75.00 /annum
Industrial Waste Discharge Permit	\$ - /annum
Non-significant Discharge Permit	\$ - biennially
Calculation of all Industrial Treatment Plant Connection Charges are based on the Average Day, Peak Month Loadings from the Industrial Waste Discharge Permit.	
Flow:	\$ 1.82 /gal/day, plus
Biochemical Oxygen Demand:	\$ 224.08 /lb/day, plus
Suspended Solids:	\$ 141.61 /lb/day
The treatment plant connection charge will be collected retroactively from a user if any additions or process changes result in a 10% increased loading to the treatment plant above what was originally paid for in the treatment plant connection fee.	
This 10% increase will be based on flow, pounds/day for biochemical oxygen demand and pounds/day for suspended solids.	



## Transportation Impact Fund (1241) Impact Fee Report 2009/10

	AB1600 Actuals
<b>Beginning Cash Balance 7/1/09</b>	<b>\$ 3,041,229</b>
<u>Revenue</u>	
Investment Earnings	45,070
Residential Impact Fees	1,271,363
Commercial Impact Fees	357,645
Industrial Impact Fees	282,515
Office Impact Fees	167,827
Development Agreements	82,031
Misc Revenue	207,721
<b>Total Revenues</b>	<b>2,414,172</b>
<u>Expenditure</u>	
Operating Expenses	(707)
Servicing Fees/Audit/Revenue/Accounting	(23,700)
Capital Improvement Program	(4,082,438)
<b>Total Expenditure</b>	<b>(4,106,845)</b>
<b>Ending Cash Balance 6/30/10</b>	<b>1,348,556</b>
C.I.P Money Appropriated 6/30/10	<b>(6,313,312)</b>
Ending Resources Available	(4,964,756)
Bonds/Internal Loan Balances	0
Developer Contracts Payable**	(2,783,229)
Future C.I.P. Projects 2010/11-2015/16	<b>(20,873,700) *</b>
<b>Future Required Revenue</b>	<b>\$ 28,621,685</b>

\* A detail list of Future CIP projects is listed in the attached 6 Year Capital Improvement Program that was approved by Council June 2010 with the City's 2 Year Budget.

\*\* According to Resolution No. 2004-117 adopted by City council on October 18, 2004, the City will reimburse Developers for street improvements made to Arterial or Collector streets in accordance with the City's circulation element. The current balance of approved Developer Agreements for this type of improvement is \$2,783,229.

**Transportation Impact Fund - 1241  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from fees collected at the time of building permit issuance. Funds can be used only for new street improvements and expansion of transportation facilities related to growth.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status	
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No		If Yes, Approx. Construction Date
Intersection - Shirk St. and Walnut Ave. 1241-0-72-0-8073	559,000	(3,654)	(3,654)	100%	X		2010/2011	Project is pending utility relocations. Bid and construction is estimated for 2010/2011.
Implement Street Over sizing (City's Share) Circulation Element 1241-0-72-0-9130	4,000,000	(3,174,749)	(3,174,749)	100%		X		Ongoing project to reimburse developers for street over-sizing.
Widen Caldwell Ave from Fairway to Lovers Ln 1241-0-72-0-9211	2,803,800	0	0	0%	X			Fairway to Santa Fe Projects completed. Remainder of funding to be used for Santa Fe to Lover's Lane section.
Widen Whitendale Ave from Sallee to Central 1241-0-72-0-9252	2,750,000	(70,668)	(70,668)	100%		X		Construction complete. Notice of completion to be filed in FY 10/11.
Widen Walnut Ave from Yale to Central 1241-0-72-0-9270	3,789,450	(110,421)	(110,421)	100%	X			Pending Federal authorization to proceed with construction. Project estimated to bid Winter 2010
Transportation Impact Fee Administration 1241-0-72-0-9633	100,000	(38,484)	(38,484)	100%		X		Ongoing administration of the 1241 fund including budget management, fee calculations, fee adjustments, fee studies and program changes.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity				Financing Complete?			Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	If Yes, Approx. Construction Date		
Demaree St Widening Project (joint project w/ Tulare County) 1241-0-72-0-9668	60,000	(8,210)	(8,210)	100%		X		Project was out to bid late 2010 by Tulare County. The City will reimburse the County.	
Widen Plaza Drive (Joint w/ Tulare Co) 1241-0-72-0-9669	135,000	(4,196)	(4,196)	100%	X			Project completed. The City is waiting for record drawings from Tulare County.	
Reimburse developer for installing traffic signal at Plaza Drive & Crowley Ave. 1241-0-72-0-9740	180,000	0	0	0%	X			Project constructed Dec 2009. Reimbursement request is pending adjacent development.	
Widen Mooney - Packwood Creek 400 ft 1241-0-72-0-9779	288,000	(260)	(260)	100%		X	Summer 2010	Completed by CalTrans in Summer 2010. Reimbursement to be completed in FY 10/11.	
Widen Tulare Ave - Lovers Lane/McAuliff 1241-0-72-0-9823	600,000	(10,477)	(10,477)	100%		X		Project is currently being designed and will be constructed in 2011. Council approved advancing project and bonding if needed.	
Widen Demaree St - Goshen/Riggin 1241-0-72-0-9824	100,000	0	0	0%		X		Ongoing project to reimburse developers for street widening.	
Widen Santa Fe St from K St to Riggin Ave. 1241-0-72-0-9942	1,350,000	(96)	(96)	0%		X		Design - waiting on Santa Fe master plan. Construction will be FY 13/14.	
Construct Tulare Ave between Arroyo St (e of McAuliff) to Road 148 (Visalia Parkway) 1241-0-72-0-9946	325,000	0	0	0%		X		Project is currently being designed and will be constructed in 2011. Council approved advancing project and bonding if needed.	
Traffic Signal at Mooney & Goshen w/railroad crossing upgrade 1241-0-72-0-9950	390,000	(15,386)	(15,386)	100%	X			Currently in design. Awarded HSIP grant for FY 11/12.	

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?			Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	If Yes, Approx. Construction Date	
Signal Caldwell/County Center *3011-0-72-0-8112	188,048	(194,353)	(23,821)	0%	X			Project completed Summer 2010 and Notice of Completion file FY 10/11.
Traffic Signal at the intersection of Demaree and Ferguson *3011-0-72-0-8113	300,000	0	0	0%		X		Project is CMAQ funded. Design and Construction to occur in FY 10/11.
2008-09 Environmental Enhancement Mitigation (EEM) Grant *3011-0-72-0-8181	349,900	(75,335)	(8,289)	0%		X		Ongoing. To be completed by CSET and Urban Tree Foundation.
Bike Plan Implementation. *3011-0-72-0-9923	65,000	(18,758)	(446)	2%		X		Ongoing Project.
Extend McAuliff over Mill Creek/Evans Ditch. *3011-0-72-0-9945	1,374,236	(1,251,804)	(606,804)	48%	X			Project completed in Summer 2010. Completing street light installation and change orders.
Traffic Signal at Santa Fe & Walnut *3011-0-72-0-9951	45,000	(15,714)	(6,475)	41%		X		Design to begin in FY 10/11 and Construction in FY 11/12.
<b>Expenditure Total</b>	<b>19,752,434</b>	<b>(4,992,568)</b>	<b>(4,082,438)</b>					

\* Note: Projects with a C.I.P. number starting with 3011 are funded by more than one fund.

City of Visalia  
**TRANSPORTATION IMPACT FEES**

Resolution No. 07-49  
 Resolution No. 08-32  
 Resolution No. 08-58

Effective August 6, 2007  
 Effective August 4, 2008  
 Effective January 30, 2009

<b>RESIDENTIAL</b>	<b>UNIT</b>	<b>FEE AMOUNT</b>
Single Family	D.U.	\$ 4,803
Multi-family	D.U.	\$ 3,373
Senior / Assisted	D.U.	\$ 1,748
<b>COMMERCIAL</b>		
General Retail (<125,000 sq. ft.)	1,000 sq. ft.	\$ 11,858
General Retail (>125,000 sq. ft.)	1,000 sq. ft.	\$ 7,909
Hotel / Motel	Room	\$ 2,102
Gasoline Service Station	Position	\$ 22,591
Note: Infill commercial projects may be eligible for reduced fee, see Infill Credit Policy		
<b>OFFICE</b>		
General Office	1,000 sq. ft.	\$ 5,305
Medical / Dental Office	1,000 sq. ft.	\$ 12,921
Government Office	1,000 sq. ft.	\$ 22,868
Note: Infill office projects may be eligible for reduced fee, see Infill Credit Policy		
<b>INDUSTRIAL</b>		
Industrial / Service Commercial	1,000 sq. ft.	\$ 1,658
Warehouse / Distribution (0-20 KSF)	1,000 sq. ft.	\$ 1,658
Warehouse / Distribution (20-100 KSF)	1,000 sq. ft.	\$ 1,194
Warehouse / Distribution (100+ KSF)	1,000 sq. ft.	\$ 731
Mini-Storage	1,000 sq. ft.	\$ 776
<b>INSTITUTIONAL</b>		
School	1,000 sq. ft.	\$ 3,618
Church	1,000 sq. ft.	\$ 2,724

01/20/2009

impactfees0809 rev1.tmsp.xls

**NOTE:**

Prior Vested Tentative Maps and Projects with existing Reimbursement Agreements will continue to be assessed per Resolution 08-32.

City of Visalia  
**TRANSPORTATION IMPACT FEES**

Resolution No. 07-49  
Resolution No. 08-32  
Resolution No. 08-58

Effective August 6, 2007  
Effective August 4, 2008  
Effective January 30, 2009

**INFILL CREDIT CRITERIA**

A reduction in the amount of Transportation Impact Fees will be provided to all Commercial and Office Projects that meet the following criteria:

1. The project is in a location where the curb, gutter and sidewalk have been installed in the ultimate alignment.
2. The project is seventy-five percent surrounded by existing development that has been in place an average of fifteen years or more.
3. Any median islands that are planned on adjacent roadways have been installed.
4. The project was inside of the Visalia city limits prior to December 31, 1995.

Projects that meet the infill criteria:

1. Receive Transportation Impact Fee reductions not to exceed fifteen percent of the base fee.
2. Are not eligible for reimbursements or credits for any street improvements or repairs that are required by the City as a project condition.
3. The City Manager or his designee is authorized to determine whether a project meets the infill criteria.

01/20/2009

impacffees0809 rev1.trnsp.xls

## Waterways Fund (1251) Impact Fee Report 2009/10

	AB1600 Actuals
Beginning Cash Balance 7/1/09	\$ 1,180,581
<u>Revenue</u>	
Investment Earnings	12,579
Waterway Acquisition Fees	85,569
Waterways Rate	249,187
Total Revenues	347,334
<u>Expenditure</u>	
Operating Expenses	(3,452)
Servicing Fees/Audit/Revenue/Accounting	(262,704) *
Capital Improvement Program	(198,971)
Total Expenditure	(465,126)
<b>Ending Cash Balance 6/30/10</b>	<b>1,062,789</b>
C.I.P Money Appropriated 6/30/10	(1,095,175)
Ending Resources Available	(32,386)
Bonds/Internal Loan Balances	0
Future C.I.P. Projects 2010/11-2015/16	(700,000) **
<b>Future Required Revenue</b>	<b>\$ 732,386</b>

\* Allocations in the Waterways Fund include a \$240k charge from Park Maintenance to maintain setbacks along creeks & ditches. The maintenance costs are off-set by a rate charged on the utility bill.

\*\* A detail list of Future CIP projects is listed in the attached 6 Year Capital Improvement Program that was approved by Council June 2010 with the City's 2 Year Budget.

**Waterways Fund - 1251  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from a combination of monthly storm sewer rates and developer impact fees. The funds are restricted for acquisition of development setbacks along waterways designated in the Visalia General Plan, restoration of riparian vegetation, and maintenance of the setback areas.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Oakwest 7 - Mill Creek Riparian Area 1251-0-72-0-8133	455,000	(21,756)	(21,756)	100%	X		Splitting cost with developer on these areas. Currently Working on acquisition with remaining property owners.
Pappas Park Trail 1251-0-72-0-8134	80,000	(8,370)	(8,370)	100%	X		Project Completed. Determining if funds to be released or if funding is still needed in additional areas.
Acquire various waterway setbacks 1251-0-72-0-9100	500,000	(110,763)	(110,763)	100%		X	Annual Project - Several acquisitions in progress
Waterways Master Plan 1251-0-72-0-9434	20,000	(17,183)	(17,183)	100%	X		Master Plan Completed and project closed in FY 09/10. Staff is implementing plan through projects.
Mill Creek Ditch Setback 1251-0-72-0-9872	280,536	0	0	0%	X		Completed February 2008. Determining if funds to be released or if funding is still needed in additional areas.
Project to Daylight Mill Creek through the Downtown Area 1251-0-72-0-9957	50,000	0	0	0%		X	Consultant has conducted a feasibility study to daylight Mill Creek through the downtown. This will be considered as feasible and appropriate.
Trail system along the St. John's River. Matching for CA River Parkways Grant *3011-0-72-0-8011	1,022,400	(58,875)	(11,991)	20%	X		Environmental Complete. Funding currently frozen by State.



Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Green Trees State Grant *3011-0-72-0-8024	174,000	(35,664)	(5,124)	14%		X	Includes \$25,000 of City's Matching Funds for Grant. Planning various projects including make a difference day. All funds will be spent in FY 10/11.
St. John's River Bike/Pedestrian Trail - Rd 148 alignment east to Cutler Park *3011-0-72-0-8041	593,000	(1,482)	(250)	17%		X	ROW acquired in FY 10/11. Design currently underway.
Environmental Enhancement and Mitigation (EEM) Grant to plant trees in Downtown area and throughout the City *3011-0-72-0-8049	288,580	(76,069)	(12,252)	16%		X	Ongoing. In progress to be completed by Urban Tree Foundation.
Mill Creek Arboretum - Trail along Mill Creek from Johnson Street to Main Street *3011-0-72-0-8182	131,000	(433)	(56)	13%		X	Project has grant funding and is currently in design.
Dans Lane Neighborhood Park *3011-0-72-0-9579	983,623	(59,415)	(7,248)	12%	X		Design Complete. Currently out to bid. Construction estimated to begin January 2011.
Matching funds to developers for developing riparian setbacks *3011-0-72-0-9756	639,044	(1,338)	(1,338)	100%		X	Annual Project - Several projects in progress
East Civic Center Park *3011-0-72-0-9920	713,000	(2,555)	0	0%		X	Negotiating set back ROW acquisition then will proceed with design. Project is currently Frozen.
Acquire & develop 1.8 acres of setback on Packwood Creek for trail from 1000' east of Mooney Boulevard to Caldwell Avenue *3011-0-72-0-9956	1,299,000	(2,639)	(2,639)	100%		X	Estimated to begin construction in Spring 2011 on landscaping and irrigation.
<b>Expenditure Total</b>	<b>7,229,183</b>	<b>(396,542)</b>	<b>(198,971)</b>				

\* Note: Projects with a C.I.P. number starting with 3011 are funded by more than one fund.

City of Visalia  
**STORM DRAINAGE & WATERWAYS IMPACT FEES**

Resolution No. 07-49  
 Resolution No. 08-32

Effective August 6, 2007  
 Effective August 4, 2008

(\$per gross acre)

LAND USE	PERCENT IMPERVIOUS	ACQUISITION FEE	DEVELOPMENT FEE	TOTAL FEE	WATERWAY ACQUISITION FEE
<b>RESIDENTIAL</b>					
Rural	20	\$ 1,122.51	\$ 124.72	1,247.23	\$ 1,147.15
Low Density	43	2,413.39	268.15	2,681.54	2,466.17
Medium Density	70	3,928.75	436.53	4,365.28	4,014.73
High Density	80	4,490.01	498.89	4,988.90	4,588.29
<b>COMMERCIAL</b>					
Convenience Center	95	\$ 5,331.89	592.43	5,924.32	5,448.72
Neighborhood Center	85	\$ 4,770.64	530.08	5,300.72	4,875.01
Shopping/Office Center	80	\$ 4,490.01	498.89	4,988.90	4,588.29
Community Center	75	\$ 4,209.40	467.71	4,677.11	4,301.56
Central Business District	95	\$ 5,331.89	592.43	5,924.32	5,448.72
Regional Center	90	\$ 5,051.28	561.25	5,612.53	5,161.96
Highway	95	\$ 5,331.89	592.43	5,924.32	5,448.72
Service	95	\$ 5,331.89	592.43	5,924.32	5,448.72
Professional/ Administration	70	\$ 3,928.75	436.53	4,365.28	4,014.73
<b>PUBLIC /INSTITUTIONAL</b>	60	\$ 3,367.52	374.16	3,741.68	3,441.36
<b>INDUSTRIAL</b>					
<b>Outside Industrial Park</b>					
Light Industrial	80	\$ 5,985.88	665.10	6,650.98	6,117.00
Heavy Industrial	90	\$ 6,734.15	748.24	7,482.39	6,881.59
<b>Industrial Park</b>	N/A	\$ 1,048.58	116.50	1,165.08	1,071.50

**NOTE:**

The Acquisition Fee shall be paid on each parcel of land within the 2020 Urban Development Boundary prior to the approval of the final subdivision or parcel map. When no final subdivision or parcel map is submitted for approval prior to the commencement of the work of any development on each parcel of land, the Acquisition Fee shall be paid prior to the commencement of the work of any development thereon.

The Development Fee shall be paid on each parcel of land prior to the commencement of the work of any development thereon.

## Northeast Capital Improvement Fund (1711)

### Impact Fee Report 2009/10

	<u>AB1600 Actuals</u>
Beginning Cash Balance 7/1/09	\$ 211,638
<u>Revenue</u>	
Investment Earnings	2,314
Northeast Medians	1,280
Northeast Parks	1,734
Northeast Financing Costs	<u>1,364</u>
Total Revenues	6,692
<u>Expenditure</u>	
Servicing Fees/Audit/Revenue/Accounting	(1,840)
Capital Improvement Program	<u>(5,343)</u>
Total Expenditure	(7,183)
<b>Ending Cash Balance 6/30/10</b>	<b>211,148</b>
C.I.P Money Appropriated 6/30/10	<u>(111,160)</u>
Ending Resources Available	99,988
Bonds/Internal Loan Balances	0
Future C.I.P. Projects 2010/11-2015/16	<u>(175,000) *</u>
<b>Future Required Revenue</b>	<b>\$ 75,012</b>

\* A detail list of Future CIP projects is listed in the attached 6 Year Capital Improvement Program that was approved by Council June 2010 with the City's 2 Year Budget.

**Northeast Capital Improvement Fund (1711)  
Project Status Report (FY 09-10)**

**Fund Description**

This fund is derived from fees paid by developers, builders, and subdividers for projects located in the Northeast Specific Plan Area to fund the construction of storm drain facilities, parks, bike paths, medians, block walls, landscaping, and amenities identified in the Northeast Specific Plan.

Number	Total Project Appropriation	Fiscal Year 09/10 Activity			Financing Complete?		Project Current Status
		Total Fiscal Year Expenditures	Fund Expenditures	% Financed By Fund	Yes	No	
Various Northeast Specific Plan improvements 1711-0-72-0-9899	50,000	(244)	(244)	100%		X	Ongoing Project
Develop playground at Mill Creek Garden Park *3011-0-72-0-9936	340,212	(17,527)	(5,098)	29%	X		Project has been completed. Working on punch list.
<b>Expenditure Total</b>	<b>390,212</b>	<b>(17,771)</b>	<b>(5,343)</b>				

\* Note: Projects with a C.I.P. number starting with 3011 are funded by more than one fund.

City of Visalia  
**NORTHEAST SPECIFIC PLAN AREA DEVELOPMENT FEES**

Resolution No. 07-49  
 Resolution No. 08-32

Effective August 6, 2007  
 Effective August 4, 2008

ACQUISITION FEE BY SUBDIVISION		
Storm Drainage	\$ 619	/per unit
Block Walls	\$ 144	/per unit
Parkway Landscaping	\$ 286	/per unit
Bike Paths	\$ 52	/per unit
Total	\$ 1,101	/per unit

FEE BY DEVELOPMENT		
Medians	\$ 107	/per unit
Parks	\$ 145	/per unit
Financing Costs	\$ 114	/per unit
Total	\$ 366	/per unit

City-wide portion of Park Fee	\$260	/per unit
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The unit fee shall be adjusted annually by City Council based on the following:

- a) Five percent (5%) per year increase in land acquisition costs;
- b) An amount equal to the change in the Engineering News Record Construction Cost Index for improvement development costs.

**NOTE:**

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The "Fee by Subdivision" shall be paid on each parcel of land in the Northeast Specific Plan Area prior to the approval of the final subdivision or parcel map. In the Case where units are to be constructed in previously subdivided areas which have not paid the unit fee identified as "Fee by Subdivision" above, the balance of the total unit fee shall be collected at the time of development.

In the event that a property develops with a non-residential use, the unit fee equivalent shall be calculated for that property and collected at the time of subdivision and building permits as appropriate.

The City-wide portion of the Park Fee is in addition to the Parks "Fee by Development" and shall be paid on each allowable dwelling unit at the same time the "Fee by Subdivision" is due.

Attachment

City of Visalia 6 year Capital Improvement Program

**Fire Impact Fees - 1061**  
**2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from Public Safety Impact fees collected at the time of building permit issuance. Funds are to only be used for new facilities, equipment, and not for operation and maintenance.

**Executive Summary**

<b>Resources</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
Beginning Cash	(2,868,100)	(2,987,570)	(2,887,890)	(2,838,490)	(2,781,190)	(2,715,390)
Fire Impact Fees	222,100	228,800	235,700	242,800	250,100	257,600
Operating Expenses	(35,260)	(35,420)	(36,500)	(37,600)	(38,700)	(39,900)
Interest Earnings	(46,900)	(60,700)	(116,800)	(114,900)	(112,600)	(109,900)
Capital Expenditures	(259,410)	(33,000)	(33,000)	(33,000)	(33,000)	(33,000)
<b>Total Resources Available for Projects</b>	<b>(2,987,570)</b>	<b>(2,887,890)</b>	<b>(2,838,490)</b>	<b>(2,781,190)</b>	<b>(2,715,390)</b>	<b>(2,640,590)</b>

**Additional Information:**

Impact fees in this fund are projected to decrease by 5% in 2010/11 and then increase each year thereafter by 3%. Approval of the currently proposed capital program will require increased General Fund advances or debt financing of up to \$4 million which is projected to be repaid by the end of fiscal Year 2030/31.

<b>#</b>	<b>Project Description</b>	<b>Project Manager</b>	<b>Project #</b>	<b>Budget Impact</b>	<b>Map Ref</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
1	<b>Southwest Fire Station Project-</b> Recommending amendment to Measure T Plan of Southeast Fire Station to Southwest location. With the lease of Station 56 in the Southeast the need for a new station has been identified for the Southwest. To improve response times in the area of the city where response times are extended. Current request for Land Acquisition and design to begin 2010/11. (Multi-funded: Project total of \$2.3m from \$2m Measure T (1122) - \$38k of which is from prior years and \$300k Fire Impact Fees (1061) \$73k of which is from prior years.)	Danny Wristen	3011/9776	--	N/A	226,410					
2	<b>Pre-emption System-</b> Install 5 Emergency Vehicle Pre-Emption Systems per year in existing signals. This system allows emergency vehicles to control traffic signals along their route. To date 1/3 of the approximately 150 signals in need of retrofit have been completed. Prior year funding will be combined with the 2010/11 appropriation to complete an additional 30. From 2011/12 onward, 5 per year will be installed, completing the remaining signals by 2026. All new signals will be installed with the system. (Multi-funded: \$50k each year from \$33k Fire Impact Fees (1061) and \$17k General Fund (0011).)	Charles Norman/ Eric Bons	3011/9531	--	N/A	33,000	33,000	33,000	33,000	33,000	33,000
<b>Total</b>						<b>259,410</b>	<b>33,000</b>	<b>33,000</b>	<b>33,000</b>	<b>33,000</b>	<b>33,000</b>

\*NOTE: Multi-funded means this is only this fund's portion of the total amount budgeted. Project is funded from multiple sources and is shown in its entirety in the "Multi-Resources Fund 3011".

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 c \*\*\* 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

\*\* Annual Maintenance costs is \$5,000 to \$25,000

\*\*\*\* Project will result in savings as described in project description

**Park & Recreational Facilities Fund - 1211  
2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from fees paid by developers in lieu of providing parks and open space. Funds are to be used to implement the Parks Master Plan for open space acquisition and providing park and other recreational facilities.

**Executive Summary**

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash For Capital	2,843,100	2,728,100	3,488,200	1,650,900	(921,300)	(5,770,400)
Park & Recreational Impact Fees	797,638	821,567	846,214	871,600	897,748	924,681
Interest Earnings	53,500	134,200	63,500	(35,400)	(221,900)	(435,900)
Operating Expenditures	(45,160)	(45,630)	(47,000)	(48,400)	(49,900)	(51,400)
Capital Expenditures	(921,000)	(150,000)	(2,700,000)	(3,360,000)	(5,475,000)	(6,000,000)
<b>Total Resources Available for Future Projects</b>	<b>2,728,078</b>	<b>3,488,237</b>	<b>1,650,914</b>	<b>(921,300)</b>	<b>(5,770,352)</b>	<b>(11,333,019)</b>

**Additional Information:**

The Park & Recreational Impact Fees are estimated to decrease 5% in 10/11 due to slowing development. This fund will be hard hit by slowing residential development which is the only type of development required to pay this Impact Fee. The future years beginning with 11/12 are estimated to increase 3% annually.

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
1	<b>Riverway Sports Park Phase III-</b> Project to include the development of hardscape improvements to the area just south of the existing BMX area and east of the new baseball fields. Approximately .3 acres would be developed to include a new playground, restrooms/concession, two new small picnic shelters, sidewalk and landscaping improvements. Also included are the extension of Giddings Avenue north to the new main western entry point, a new parking lot just east of the future softball complex/current temporary storm basin, development of 600 feet of new roadway from Giddings to the improved parking lot, additional irrigation, turf, and trees. All of these improvements would be in accordance with the adopted park master plan. (Multi-funded: Total of \$1.7m from \$596k Recreation Impact Fees (1211), \$641k Community Sports Park set-aside (0014) and \$217k Parks & Rec Foundation donation (0014), \$78k Storm Sewer (1221) and \$196 Transportation Impact Fees (1241).)	Vince Elizondo	3011/8099	B9		596,000					
2	<b>Creekside Neighborhood Park/Storm Basin-</b> Develop a 9-acre neighborhood park and storm basin to serve area south of Hwy 198 to Walnut Ave and east of Lovers Ln. Phase 2 (09/10) Develop 5 acres of park improvements to include playground, walking paths, turf and landscape, picnic area and a pump lift station. Phase 3 (11/12) Complete development of park improvements and build local street on west side of park. (Multi-funded: Project total \$1.8m funded with Recreation (1211) \$1.3m (including \$1.2 prior year funding) and Storm Sewer (1221) \$471k (including \$321k prior year funding).)	Vince Elizondo	3011/9413	**	D1	175,000					



**Park & Recreational Facilities Fund - 1211 (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
3	<b>Dans Lane Neighborhood Park-</b> Develop a 5 acre park and riparian area to serve neighborhood park demand South of Caldwell, from Mooney Blvd to Demaree. Improvements will include a walking trail, turf play areas, playground equipment, trees for shade, and picnic improvements. (Multi-funded: Project total of \$1.1m funded with Recreation (1211) \$815k (prior years) and \$150k (10/11) and Waterways (1251) \$113k (prior years).)	Vince Elizondo	3011/9579	*	D10	150,000					
4	<b>Hillsdale Neighborhood Park-</b> The total area owned by the City is roughly 16 acres a portion of which is located in the 198 setback area. The concept plan includes a 4 acre neighborhood park to be developed on the property. The park would serve the neighborhoods between Shirk and Akers, from Goshen to Highway 198.	Vince Elizondo	9719	*	A5		75,000	750,000			
5	<b>Modoc Basin Neighborhood Park-</b> Acquire Modoc Basin to develop a 4-5 acre park along with the basin on Riggins west of Demaree to serve area from Riggins Rd to Pratt Rd and Akers St to Shirk St. Existing subdivisions currently use Modoc basin which is identified in Storm Drain Master Plan as regional basin. Development to occur in 2013/14 including open space, athletic fields. (Multi-funded: Project total \$3.6k from Recreation (1211) \$2.6m and Storm Sewer (1221) \$1m.)	Vince Elizondo/ Doug Damko	3011/9935	--	A4		75,000	500,000	2,000,000		
6	<b>SW Neighborhood Park-</b> This is a future 5-6 acre neighborhood park/storm pond. This park will serve the needs of current and future residents south of Highway 198, between Akers and Shirk, north of West Walnut Avenue. The park will feature a walking trail, playground equipment, picnic facilities, and various other park amenities. Fund will be used for acquisition in 2010-11 and development in 2011-12.	Vince Elizondo	9800	*	C4			630,000	665,000		
7	<b>Cameron Creek Park &amp; K Road Park/Basin-</b> Locate and acquire site for 6-8 acre neighborhood park and storm basin to serve area from Lovers Lane to Rd 148 and Walnut Ave to Caldwell Ave. (Multi-funded: Project total \$1.6m from Recreation (1211) \$1m and Storm Sewer (1221) \$620k.)	Vince Elizondo	3011/8103	--	D2			420,000	595,000		
8	<b>Shannon Ranch Pocket Park-</b> Acquire & develop a park located in Shannon Ranch, east of County Center. Due to slowing development, this park has been pushed out to 2012/13.	Vince Elizondo/ Doug Damko	9789	*	TBD			400,000			

**Park & Recreational Facilities Fund - 1211 (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
9	<b>Riverway Sports Park Phase 4-</b> Develop Phase 4 of the Riverway Sports Park project to include four lighted adult and youth softball fields with a concession/restroom and additional parking and picnic amenities. This phase would also include additional irrigation system and a new pump system. (Multi-funded: Project total of \$10m funded with Recreation (1211) \$4m and Sport Park Reserve (0014) \$6m.)	Vince Elizondo	N/A	***	B9			100,000	3,900,000		
10	<b>Southeast Master Plan Park Acquisition-</b> Acquire 10 to 15 acres for the designated community neighborhood park site and develop first phase. The master plan identifies a 38 acre site with a large grove of Valley Oaks as a park site. This project proposes to acquire and develop a portion of the site with park impact fees and the remainder would be purchased from unspecified funds from fees charged for development.	Vince Elizondo	8104	--	D11				1,500,000		1,500,000
11	<b>Multi-Generational Recreation Center-</b> Build a 20,000 sq. ft. space for community events, recreation and educational classes, in an effort to promote health and wellness for both our youth and seniors in one common facility. The facility will be located on a 3-acre site on City owned property just south of the South police precinct. The City will pursue any grant funding available for this project.	Vince Elizondo	8096	--	D12					75,000	4,500,000
	<b>Total Expenditures</b>					<b>921,000</b>	<b>150,000</b>	<b>2,700,000</b>	<b>3,360,000</b>	<b>5,475,000</b>	<b>6,000,000</b>

\*NOTE: Multi-funded means this is only this fund's portion of the total amount budgeted. Project is funded from multiple sources and is shown in its entirety in the "Multi-Resources Fund 3011".

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 cost is \$5,000 or less

\*\* Annual Maintenance costs is \$5,000 to \$25,000

\*\*\* Annual Maintenance costs is over \$25,000. These projects will be explained in detail in the project description.

\*\*\*\* Project will result in savings as described in project description

**Storm Sewer Construction Fund - 1221**  
**2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from Storm Sewer impact fees collected at the time of development and a portion of the monthly storm sewer users fees. This fund shares \$.84 of the \$2.47 monthly storm sewer fee with the Wastewater Trunkline construction fund (1231). Funds are to be used only for construction of new storm sewer infrastructure to implement the Storm Sewer Master Plan.

**Executive Summary**

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash For Capital	(32,200)	145,300	318,400	(253,600)	28,700	(1,254,700)
Storm Sewer Impact fees	161,095	165,900	170,900	176,000	181,300	186,700
Storm Sewer Rate	429,600	436,000	442,500	451,400	460,400	469,600
Interest Earnings	2,100	6,200	(9,800)	1,100	(48,300)	(44,800)
Operating Expenditures	(19,250)	(19,990)	(20,600)	(21,200)	(21,800)	(22,500)
Capital Expenditures	(396,000)	(415,000)	(1,155,000)	(325,000)	(1,855,000)	(500,000)
<b>Total Resources Available for Future Projects</b>	<b>145,345</b>	<b>318,410</b>	<b>(253,600)</b>	<b>23,700</b>	<b>(1,254,700)</b>	<b>(1,165,700)</b>

**Additional Information:**

The Storm Sewer impact fees have decreased significantly as a result of decreased housing development. Revenues are estimated to decrease again by 5% in 10/11 and begin growing in 11/12 at a rate of 3% per year as development begins to rebound. Sewer Fees are estimated to increase annually by 1.5% (based upon 500-600 new housing units per year) in 10/11-12/13 and 2% (based upon 700 new housing units per year) in 13/14-15/16.

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
1	<b>Storm Sewer Master Plan Administration-</b> staff preliminary design and administration of new storm sewer construction projects as identified in the Storm Sewer Master Plan	Chris Tavaraz	8222	--	N/A	25,000	25,000	25,000	25,000	25,000	25,000
2	<b>Creekside Neighborhood Park/Storm Basin-</b> Develop a 9-acre neighborhood park and storm basin to serve area south of Hwy 198 to Walnut Ave and east of Lovers Ln. Phase 2 (09/10) Develop 5 acres of park improvements to include playground, walking paths, turf and landscape, picnic area and a pump lift station. Phase 3 (11/12) Complete development of park improvements and build local street on west side of park. (Multi-funded: Project total \$1.8m funded with Recreation (1211) \$1.3m (including \$1.2 prior year funding) and Storm Sewer (1221) \$471k (including \$321k prior year funding).)	Doug Damko	3011/9413	**	D1	100,000	50,000				
3	<b>Storm Sewer Oversizing-</b> Construct various storm drain lines. Pays the City's annual cost of reimbursing developers for the design and construction of storm drain lines which implement the Storm Water Master Plan and for the construction of oversized storm drain lines that exceed the standard requirements for development projects.	Doug Damko	9229	--	N/A	100,000	100,000	100,000	100,000	100,000	100,000

**Storm Sewer Construction Fund - 1221 (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
4	<b>Plaza Drive Storm Basin</b> - Acquire additional property for the expansion of an existing basin west of Plaza Drive/North of 198 Hwy. Basin will serve the areas between Hurley & 198 HWY, west of Kelsey street. 10/11 Acquisition, 11/12 Development. Project total of \$338k includes \$178k of prior year funding.	Doug Damko	8106	--	A1	80,000	80,000				
5	<b>Riverway Sports Park Phase III-</b> Project to include the development of hardscape improvements to the area just south of the existing BMX area and east of the new baseball fields. Approximately .3 acres would be developed to include a new playground, restrooms/concession, two new small picnic shelters, sidewalk and landscaping improvements. Also included are the extension of Giddings Avenue north to the new main western entry point, a new parking lot just east of the future softball complex/current temporary storm basin, development of 600 feet of new roadway from Giddings to the improved parking lot, additional irrigation, turf, and trees. All of these improvements would be in accordance with the adopted park master plan. (Multi-funded: Total of \$1.7m from \$596k Recreation Impact Fees (1211), \$641k Community Sports Park set-aside (0014) and \$217k Parks & Rec Foundation donation (0014), \$78k Storm Sewer (1221) and \$196 Transportation Impact Fees (1241).)	Vince Elizondo	3011/8099		B9	78,000					
6	<b>Riverwood Basin-</b> Install landscaping, fencing, pump station with discharge line, inflow structures and street improvements at the 11-acre Creekside storm/recharge basin located at the southeast corner of Murray Ave. and McAuliff St. Purchase, fencing, excavation and street improvements have been completed. Remaining is lift station and landscaping 10/11. (Multi-funded: Project total of \$535k funded with Storm Sewer (1221) \$176k prior yr & \$13k 10/11, Groundwater Recharge (1224) \$146k, Storm Sewer (1222) \$50k and \$150k will be received from the Visalia Water Management Committee.)	Doug Damko	3011/9557	--	B4	13,000					
7	<b>Lakeside Basin-</b> Install pump station, inflow line, fencing and landscaping at 9.4-acre Lakeside storm basin (S40) located north side of Goshen Ave. between Shirk Street and future Roeben Street. Basin will service area bounded by Shirk St, Akers St, Riggan Ave and Hurley Ave. Will also provide relief for Goshen Ave storm drain line by accepting storm flows from the Goshen line into the basin and pumping it out at reduced rate. 10/11 funding for dirt retention.	Doug Damko	9836 (S40)	--	A3		100,000				

**Storm Sewer Construction Fund - 1221 (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
8	<b>Storm Water Master Plan Update and Nexus Study-</b> update the City's 1994 plan including development impact fee update. Phase 1 - analysis of current system - complete, Phase 2 Master Plan to be completed by 2011/12. Project total of \$240k includes \$180k of prior year funding.	Doug Damko	9067	--	N/A	-	60,000	-	-	-	-
9	<b>Modoc Basin Neighborhood Park-</b> Acquire Modoc Basin to develop a 4-5 acre park along with the basin on Riggins west of Demaree to serve area from Riggins Rd to Pratt Rd and Akers St to Shirk St. Existing subdivisions currently use Modoc basin which is identified in Storm Drain Master Plan as regional basin. Development to occur in 2013/14 including open space, athletic fields. (Multi-funded: Project total \$3.6k from Recreation (1211) \$2.6m and Storm Sewer (1221) \$1m.)	Doug Damko / Vince Elizondo	3011/9935	--	A4	-	-	1,000,000	-	-	-
10	<b>The Ranch Basin-</b> Install landscaping and irrigation around the Ranch basin (formerly known as Ritchie Basin), located at the southeast corner of Houston Ave and Linwood St. In addition to the standard calwater irrigation connection, a reclaimed water unit and self irrigation system will be installed in this basin. Staff has applied for additional grant funding for this project.	Doug Damko	9430 (GD-39)	*	A2	-	-	30,000	-	-	-
11	<b>Hillsdale Storm Basin-</b> Construct permanent storm basin on 16 acres owned by City on Hillsdale just north of Highway 198	Doug Damko	9719	--	A5	-	-	-	200,000	-	-
12	<b>Linwood Ranch Storm Basin-</b> This project will reimburse developers for the construction of a pump station, discharge line, and installation of landscaping, sidewalk, curb, gutter and pavement along the northern, southern and eastern street frontages of the storm basin. Project total of \$345k includes \$245k prior year funding.	Doug Damko	9774	--	N/A	-	-	-	-	250,000	-
13	<b>Goshen Avenue Trunkline-</b> A storm drain trunk line in Goshen Avenue from Cain Street to Goshen/Virmargo Basin. Will provide drainage for approved private developments/some of the East downtown areas and Goshen Ave runoff from Ben Maddox to Mill creek Parkway. Trunk line terminates at Goshen/Virmargo Basin.	Doug Damko	8109	--	B5	-	-	-	-	420,000	-

**Storm Sewer Construction Fund - 1221 (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
14	<b>Park Place Storm Basin-</b> Acquire the 4.6-acre Park Place storm basin (S43) located on the east side of Pinkham, 1,000 feet north of Caldwell. Includes landscaping of Pinkham frontage. The basin is located adjacent to a Tulare Irrigation District canal that crosses Pinkham. This basin has been fully developed by Centex Homes as part of the Park Place subdivision. This basin will serve existing and future development north of Caldwell south of K Road and west of Lovers Lane. The basin is designed as a retention basin with the ability to take in water from the TID canal for groundwater recharge.	Doug Damko	9097 (PC-43)	*	D22					210,000	
15	<b>Cameron Creek Park &amp; K Road Park/Basin-</b> Locate and acquire site for 6-8 acre neighborhood park and storm basin to serve area from Lovers Lane to Rd 148 and Walnut Ave to Caldwell Ave. (Multi-funded: Project total \$1.6m from Recreation (1211) \$1m and Storm Sewer (1221) \$620k.)	Don Stone/ Doug Damko	3011/8103	*	D2					400,000	220,000
16	<b>SW Neighborhood Park/Basin-</b> SW Neighborhood Park/Basin- Acquire land for a basin to serve the area from Hwy 198 to Walnut and Akers to Shirk. Need based on development.	Doug Damko	9800	*	C4					200,000	
17	<b>Virmargo Street Trunkline-</b> A storm drain trunk line in Virmargo Street from Houston Ave to Goshen/Virmargo Basin. To provide drainage for 6 approved subdivision projects in area totalling approximately 400 residential lots, the trunk line terminates at Goshen/Virmargo basin. The construction of this project is associated with Eagle Meadows Development, an approved master planned residential site where the proposed pipeline alignment runs through.	Doug Damko	8108	--	B6					150,000	55,000
18	<b>Goshen Avenue Foremain-</b> A force main pipeline with a pump station at Goshen/Virmargo Basin discharging into Jennings Ditch. Basin is categorized as a detention basin. Once more than half of service/tributary area is built out, a pump station with a discharge foremain will be needed.	Doug Damko	8107	--	B7					100,000	100,000
<b>Total Expenditures</b>						<b>396,000</b>	<b>415,000</b>	<b>1,155,000</b>	<b>325,000</b>	<b>1,855,000</b>	<b>500,000</b>

Note: Multi-funded means this is only this fund's portion of the total amount budgeted. Project is funded from multiple sources and is shown in its entirety in the "Multi-Resources Fund 3011".

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

**Wastewater Trunk Line Construction Fund - 1231  
2010/11 - 2015/16 Capital Improvement Program**

This fund's revenues are derived from Sanitary Sewer and Trunk Line Connection Fees. Funds are to be used only for new sanitary sewer trunk line construction, and not for operation and maintenance. This fund also receives a portion of the monthly storm sewer users fees, sharing \$.84 of the \$2.47 monthly storm sewer fee with the Storm Sewer Construction fund (1221).

**Executive Summary**

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash For Capital	3,349,300	3,747,900	2,070,100	549,000	2,310,100	2,958,700
Sanitary Sewer and Trunk Line Connection Fees	1,285,245	1,323,802	1,363,516	1,404,421	1,446,554	1,489,951
Sewer Master plan Fees	487,800	497,600	507,600	517,800	528,200	538,800
Interest Earnings (Expense)	55,400	30,600	8,100	34,100	43,700	20,800
Bond Principal/Interest Expense	(316,600)	(316,600)	(261,500)	(55,800)	(44,900)	(44,900)
Operating Expenditures	(18,200)	(18,240)	(18,800)	(19,400)	(20,000)	(20,600)
Capital Expenditures	(1,095,000)	(3,195,000)	(3,120,000)	(120,000)	(1,305,000)	(3,535,000)
<b>Total Resources Available for Future Projects</b>	<b>3,747,945</b>	<b>2,070,062</b>	<b>549,016</b>	<b>2,310,121</b>	<b>2,958,654</b>	<b>1,407,751</b>

**Additional Information:**

The Sanitary Sewer/Trunkline Connection fees have decreased significantly as a result of decreased housing development. Revenues are estimated to decrease by 5% in 10/11. Connection fees are projected to begin increasing again in 11/12 at a rate of 3% annually through 15/16. Sewer Master Plan Fees are estimated to increase annually by 1.5% (based upon 500-600 new housing units per year) in 10/11-12/13 and 2% (based upon 700 new housing units per year) in 13/14-15/16.

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
1	<b>North Shirk sewer line extension.</b> This project will extend the 48 inch line in Shirk Ave from School St to Goshen Ave and Goshen Ave to Ferguson Ave/Sunnyview Ave. The 48 inch line is a master plan trunk line that will provide service to areas along Shirk St north of Walnut Ave extending to Ferguson Ave. Total cost of project is \$7.2m which includes \$227k prior year funding.	Adam Ennis	9741	*	A5	1,000,000	3,000,000	3,000,000			
2	<b>Reimburse developers for sanitary sewer-</b> additional costs incurred when constructing the required sanitary sewer with development. The additional cost is the difference between the "development requirement" and the requirement to accommodate for future development in the area.	Doug Damko	9318	--	N/A	75,000	75,000	100,000	100,000	100,000	100,000
3	<b>Preliminary engineering and design work</b> necessary to provide developers and engineers with adequate information to construct master planned sewer lines with proposed development projects.	Doug Damko	9234	--	N/A	20,000	20,000	20,000	20,000	20,000	20,000

**Wastewater Trunk Line Construction Fund - 1231 (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
4	<b>Sewer lift station near SR 198 (south side) and Plaza Drive-</b> upgrade from two 1800 gpm pumps to four 2500 gpm pumps. The existing pumps will need to be upgraded to manage growth within the northwest portion of the City.	Andrew Benelli	8148	*	C5		100,000				
5	<b>Avenue 276 Trunk Line-</b> Extend the trunk line from Santa Fe St to Ben Maddox Way and from Ben Maddox to Lovers Lane along Visalia Parkway. The trunk line extension will service the area south of Caldwell. This project dependant upon South East Master Plan approval to annex land. Total cost of project is approximately \$4.6m.	Adam Ennis	9993	*	D4					1,185,000	3,415,000
<b>Total Expenditures</b>						<b>1,095,000</b>	<b>3,195,000</b>	<b>3,120,000</b>	<b>120,000</b>	<b>1,305,000</b>	<b>3,535,000</b>

**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 cost is \$5,000 or less

\*\* Annual Maintenance costs is \$5,000 to \$25,000

\*\*\* Annual Maintenance costs is over \$25,000. These projects will be explained in detail in the project desc

\*\*\*\* Project will result in savings as described in project description

In August 2002 the Wastewater Funds received a Bond for \$9.5M for the expansion of the Treatment Plant and to install and extend major arterial trunklines. The bond is to be paid back over a 15 year period at a 4% interest rate. Below is a breakout of each Funds portion of the bond:

Wastewater Trunkline Construction (1231 Fund): \$3.5M

Sewer Connection (1232 Fund): \$3.5M

Wastewater Treatment Plant (4311 Fund): \$2.5M



**Transportation Impact Fees Fund - 1241**  
**2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from fees collected at the time of building permit issuance. Funds can be used only for new street improvements and expansion of transportation facilities related to growth.

**Executive Summary**

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash For Capital	(4,857,200)	(6,246,460)	(7,988,500)	(9,394,800)	(11,906,900)	(12,318,400)
Transportation Impact Fees	2,031,100	2,092,000	2,154,800	2,219,400	2,286,000	2,354,600
Interest Earnings	(92,300)	(156,600)	(361,300)	(458,000)	(473,800)	(573,600)
Operating Expenditures	(32,060)	(32,460)	(33,400)	(34,400)	(35,400)	(36,500)
Capital Expenditures	(3,296,000)	(3,645,000)	(3,166,400)	(4,239,100)	(2,188,300)	(4,338,900)
<b>Total Resources Available for Future Projects</b>	<b>(6,246,460)</b>	<b>(7,988,520)</b>	<b>(9,394,800)</b>	<b>(11,906,900)</b>	<b>(12,318,400)</b>	<b>(14,912,800)</b>

**Additional Information:**

The Transportation Impact Fees are estimated to decrease 20% next year (10/11) due to a combination of decreases in development and the 15% reduction in fees approved by Council June 7, 2010. The future years are estimated to increase 3% annually.

A solution to funding the proposed projects may be one of three options: 1) additional grants, 2) increased transportation fees and/or 3) postponed or reduced projects. However, to be eligible for grant monies, the City needs to be prepared to fund projects. Therefore, staff is recommending this plan. Council oversight on the progress of staff in balancing this fund is essential.

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
1	<b>Transportation Impact Fee Administration-</b> Staff time and consultant cost to administer the Transportation Impact Fee program that oversees the development of arterial and collector roadways near areas of development. Includes calculation of impact fees as well as updates to the program.	Chris Tavares	9633	N/A		100,000	100,000	100,000	100,000	100,000	100,000
2	<b>Betty Drive Improvements</b> for grade separation improvements and widening. This project is lead by the County and will improve Betty Drive leading into the City's Industrial Park, construction is planned for 10/11. The City has committed to pay up to \$3.5m for the project, although if bids are below estimates then cost savings will be realized and City contribution will be reduced in proportion to share of project.	Rebecca Keenan Chris Tavares	8223	A10 out-side map area		1,500,000	2,000,000	-	-	-	-
3	<b>Traffic signal at Hurley Avenue &amp; Shirk Road-</b> The traffic signal will be constructed in conjunction with the widening of Shirk Street between Hwy 198 to just north of Hurley Avenue.	Eric Bons	9725	*	A11	-	-	300,000	-	-	-

Transportation Impact Fees Fund - 1241 (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
	<b>Street Widening throughout the City</b>										
4	<b>Reimburse developers for additional costs incurred</b> when constructing required arterial & collector streets with their development. Additional cost is the difference between "development requirement" & requirement to accommodate for future development in area. Project cost based upon current agreements, estimates of future projects and estimated completion dates.	Doug Damko	9130	**	N/A	1,500,000	1,545,000	1,591,400	1,639,100	1,688,300	1,738,900
1	<b>Riverway Sports Park Phase III-</b> Project to include the development of hardscape improvements to the area just south of the existing BMX area and east of the new baseball fields. Approximately .3 acres would be developed to include a new playground, restrooms/concession, two new small picnic shelters, sidewalk and landscaping improvements. Also included are the extension of Giddings Avenue north to the new main western entry point, a new parking lot just east of the future softball complex/current temporary storm basin, development of 600 feet of new roadway from Giddings to the improved parking lot, additional irrigation, turf, and trees. All of these improvements would be in accordance with the adopted park master plan. (Multi-funded: Total of \$1.7m from \$596k Recreation Impact Fees (1211), \$641k Community Sports Park set-aside (0014) and \$217k Parks & Rec Foundation donation (0014), \$78k Storm Sewer (1221) and \$196 Transportation Impact Fees (1241).)	Vince Elizondo	3011/8099		B9	196,000					
5	<b>Widen Santa Fe St from K St to Noble Ave.</b> Widening will follow the Santa Fe Master Plan currently being drafted. This project may be split into two phases from K Street to Tulare and Tulare to Noble which would include intersection improvements at Tulare/Santa Fe. Phases to be constructed will be contingent upon available funding.	Manuel Molina	9942	**	D14	-	-	-	-	-	2,500,000
	<b>Extension of Streets throughout the City</b>										
6	<b>Tulare Ave extension (Lovers Lane and Mc Auliff)-</b> Acquire ROW and extend Tulare Ave between Lovers Lane and McAuliff. Tulare Ave will be a collector road and will provide another access route to the west from subdivisions around McAuliff St. south of SR 198.	Peter Spiro/ Fred Lampe	9823		D15			750,000	1,500,000	-	-

**Transportation Impact Fees Fund - 1241 (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
7	<b>Construct Chinowth from Goshen Ave to Houston Ave.</b> This project will complete the connection of Chinowth from Goshen Avenue to Houston. The project will include a railroad crossing and a signal at Goshen and Chinowth upon PUC approval.	Adam Ennis	9762	--	A12			150,000	400,000	400,000	
8	<b>Construct Tulare Ave between Arroyo St (e of McAuliff) to Road 148 (Visalia Parkway) and extend Road 148 south approximately 1/4 mile towards Walnut.</b> Tulare Ave will be built to a collector (84 ft) status roadway while Road 148 would be built to a half arterial (36ft).	Adam Ennis	9946	**	D16			275,000	600,000		
<b>Total Expenditures</b>						<b>3,296,000</b>	<b>3,645,000</b>	<b>3,166,400</b>	<b>4,239,100</b>	<b>2,188,300</b>	<b>4,338,900</b>

Note:

Multi-funded means this is only this fund's portion of the total amount budgeted. Project is funded from multiple sources and is shown in its entirety in the "Multi-Resources Fund 3011".

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

\*\* Annual Maintenance costs is \$5,000 to \$25,000

\*\*\*\* Project will result in savings as described in project description

**Waterways Fund - 1251**  
**2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from a combination of monthly storm sewer fees and developer impact fees. This fund receives \$.48 of the \$.27 monthly fee that is charged through the utility bill. Funds are restricted for acquisition of development setbacks along waterways designated in the Visalia General Plan, restoration of riparian vegetation, and maintenance of the setback areas.

**Executive Summary**

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash For Capital	123,127	(42,477)	(99,449)	(148,353)	(192,719)	(232,112)
Waterways Impact Fee	103,694	106,800	110,000	113,300	116,700	120,200
Waterways Fees	251,432	257,718	264,161	270,765	277,534	284,473
Interest Earnings (Expense)	3,900	4,000	6,100	4,500	3,100	1,900
Operating Expenditures	(21,100)	(21,960)	(22,600)	(23,300)	(24,000)	(24,700)
Setback Maintenance	(303,530)	(303,530)	(306,565)	(309,631)	(312,727)	(315,855)
Capital Expenditures	(200,000)	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)
<b>Total Resources Available for Future Projects</b>	<b>(42,477)</b>	<b>(99,449)</b>	<b>(148,353)</b>	<b>(192,719)</b>	<b>(232,112)</b>	<b>(266,093)</b>

**Additional Information:**

The Waterways Impact Fees are estimated to decrease 5% in 10/11 due to slowing development. The future years beginning with 11/12 are estimated to increase 3% annually. Waterways Fees are estimated to increase annually by 1.5% (based upon 500-600 new housing units per year) in 10/11-12/13 and 2% (based upon 700 new housing units per year) in 13/14-15/16.

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
1	<b>Matching funds to developers for development of riparian setbacks.</b> Includes drip irrigation, oak trees and riparian landscaping, paths, signs, and wood chips. In some cases fencing may be required to limit access.	Paul Shepard	9756	--	N/A	100,000	100,000	100,000	100,000	100,000	100,000
2	<b>Misc. Asphalt Trail Repairs-</b> Repair tree root damage to asphalt trails to improve pedestrian safety.	Paul Shepard	8230	--	N/A	100,000					
	<b>Total Expenditures</b>					<b>200,000</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>

NOTE: Multi-funded means this is only this fund's portion of the total amount budgeted. Project is funded from multiple sources and is shown in its entirety in the "Multi-Resources Fund 3011".

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 cost is \$5,000 or less

\*\* Annual Maintenance costs is \$5,000 to \$25,000

\*\*\* Annual Maintenance costs is over \$25,000. These projects will be explained in detail in the project description

\*\*\*\* Project will result in savings as described in project description

**N/E Capital Improvement Fund - 1711  
2010/11 - 2015/16 Capital Improvement Program**

This fund is derived from fees paid by developers, builders, and subdividers for projects located in the Northeast Specific Plan Area to fund the construction of storm drain facilities, parks, bike paths, medians, block walls, landscaping, and amenities identified in the Northeast Specific Plan.

**Executive Summary**

	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Beginning Cash For Capital	108,895	71,695	34,474	7,183	5,130	8,524
Revenue for Capital Projects	13,300	13,699	14,110	14,533	14,969	15,418
Interest Earnings	1,100	700	300	200	300	500
Operating Expenditures	(1,600)	(1,620)	(1,701)	(1,786)	(1,875)	(1,969)
Capital Expenses	(50,000)	(50,000)	(40,000)	(15,000)	(10,000)	(10,000)
<b>Total Resources Available for Future Projects</b>	<b>71,695</b>	<b>34,474</b>	<b>7,183</b>	<b>5,130</b>	<b>8,524</b>	<b>12,473</b>

**Additional Information:**

The N/E Capital Improvement Impact Fees are estimated to decrease 5% in 10/11 due to an estimated decrease in development. The future years beginning in 11/12 are estimated to increase 3%

#	Project Description	Project Manager	Project #	Budget Impact	Map Ref	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
1	<b>Various Northeast Specific Plan improvements.</b> This project covers the City's annual cost of reimbursing developers for bike paths, parkway landscaping and block walls that are identified as the City's responsibility in the Northeast Specific Plan.	Doug Damko	9899	N/A	N/A	50,000	50,000	40,000	15,000	10,000	10,000
	<b>Total Expenditures</b>					<b>50,000</b>	<b>50,000</b>	<b>40,000</b>	<b>15,000</b>	<b>10,000</b>	<b>10,000</b>

\*NOTE: Multi-funded means this is only this fund's portion of the total amount budgeted. Project is funded from multiple sources and is shown in its entirety in the "Multi-Resources Fund 3011".

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**  
**Agenda Item Transmittal**

**Meeting Date:** January 18, 2010

**Agenda Item Number (Assigned by City Clerk):** 111

**Agenda Item Wording:** Authorize the City Manager to accept a donation from the Friends of Visalia Police Canine for the Purchase and Training of a Police Canine.

**Deadline for Action:** N/A

**Submitting Department:** Police Department

**Contact Name and Phone Number:**  
Colleen Mestas, Chief of Police, xt. 4215  
Rick Haskill, Captain, xt. 4205  
Steve Phillips, Lieutenant, xt.4573

**Department Recommendation:** Authorize the City Manager to accept a donation in the amount of \$16,243.75 for the purchase and training of a police canine.

**Summary/background:** Friends of Visalia Police Canine is a non- profit corporation that was founded in 2006. The purpose of the organization is to provide support for the Visalia Police Department Canine Unit. The board consists of members from the community and the Visalia Police Department. In the past, the Friends of Visalia Police Canine have donated money for equipment and training, including the training of a narcotic detection canine. The donated funds will be used to purchase a police canine and pay for associated costs of training the canine.

The costs associated with this donation are as follows:

Police Canine	-	\$8,500.00 + tax (\$743.75) =	\$ 9,243.75
Basic Handlers Course	-		\$ 4,000.00
Hosting Class Fee	-		\$ 3,000.00
			\$16,243.75

Recently, one of the Visalia Police Department's canines retired after eight years of service. The purpose of the purchase is to replace the vacant canine position. All costs associated with the new canine handler exist in the current budget except for the initial purchase and training of the canine.

**Prior Council/Board Actions:** N/A

**For action by:**  
 City Council  
 Redev. Agency Bd.  
 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** am  
 (Initials & date required)

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

**City Mgr** [Signature]  
 (Initials Required)

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

**Committee/Commission Review and Actions:**

**Alternatives:** Do not accept the donation.

**Attachments:** Letter from vendor.

**Recommended Motion (and Alternative Motions if expected):** That the City Council authorize the City Manager to accept a donation from Friends of Visalia Police Canine in the amount of \$16,243.75 for the purchase and training of a police canine.

*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:



37492 Cherry Valley Boulevard  
Cherry Valley, CA 92223  
Office 951-845-2780 Fax 951-845-2537

Sgt. James Andrews  
Visalia Police Department

This Basic Handlers Course class will be held from January 24, 2011 to February 25, 2011. Because of the proximity of all the agencies requesting the basic course, I would like to offer to the agencies to have the basic class in your area. This is a great opportunity for your handler team to train in the area that will eventually be their patrol area. There is an additional cost savings to your agency from the hotel, fuel, and food cost of sending your handler to our Cherry Valley Training facility.

Cost of the course will be:

Police Service Dog	\$8500.00 + tax (\$743.75) = \$9243.75
Basic Handlers Course	\$4000.00
Hosting Class Fee **	\$3000.00
<b>Total</b>	<b>\$16,243.75</b>

\*\*The hosting class fee is for the motel, food, gas, and instructor fee for Master K-9\*\*

The class schedule would be based on a 4/10 schedule. Split shift day, while this schedule is a little hard on the handler it is optimum for the Police Service Dog candidate. Approximate start times will be 0700 to 1200 and 1700 to 1000 pm. The mid day break is excellent for the Canine which has a different recovery system mentally and physically then humans. Each week a different agency would take responsibility for hosting the evening training session. The morning session is tentatively set for a regional park in the Kingsburg area. This has not been finalized at this time, but I do not anticipate a major change to the training area. All start times are subject to change depending on the training scheduled for that day and also training site availability will determine a different start time.

If you have any questions feel free to call Kelly Welch, Training Course Coordinator and Office Manager for Master K-9 at (951) 845-2780.

Regards,

Dan Miller  
Master K-9, Inc.  
Owner/Instructor



## Agenda Item Transmittal

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11j

**Agenda Item Wording:** Request for authorization to initiate a process to solicit proposals from qualified firms to provide State-level legislative advocacy services for the City of Visalia.

**Deadline for Action:** None

**Submitting Department:** Administration

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

**Department Recommendation:** Staff recommends Council authorize the City Manager to initiate a process to solicit proposals from qualified firms which provide legislative advocacy (lobbying) services at the State level. A Council subcommittee will review proposals, conduct interviews, etc. and recommend whether a firm should be hired, and if so, which one.

**Summary/background:** In the past, Visalia has contracted with a lobbying firm with offices in Sacramento to provide legislative advocacy services at the State level. Having a lobbyist in Sacramento provides an effective, ongoing, direct link to legislative processes and access to State government decision makers. This arrangement has kept the City alert to legislation and provided a knowledgeable and skilled communication link to the various layers of State government in Sacramento. In particular, a lobbyist can help connect City staff with appropriate State officials regarding matters affecting the City.

**Critical issues:** In 2009, as part of the budget process, the City Council eliminated lobbying services at the State level as a cost-savings measure. Since that time, the City has become more involved in significant issues that impact our community and region but are overseen by State agencies. Access to appropriate State officials is critical as these issues are being addressed. Examples include:

- The City has undertaken a major upgrade to our wastewater treatment facility. The cost of the upgrade will be approximately \$100 million, which is to be subsidized in part through State loans and grants. The primary purpose of the upgrade is to improve the level of wastewater treatment in the facility to meet more stringent State water quality requirements. Close interaction with the State Water Resources Board and Regional

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 1

**Review:**

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

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

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

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

Water Quality Control Board will be critical in satisfying State requirements for water quality in a cost-effective manner, and in securing funding assistance for the upgrade.

- City staff is conferring with the State Department of Toxic Substance Control on potential contamination issues related to past inappropriate disposal of dry cleaning solvents in areas of the community. Potential cleanup costs may be in the millions of dollars. Interaction with DTSC, potentially with assistance by our State legislators, will be important in the future to accurately assess potential contamination and to manage future costs to property owners, businesses and the community.
- Through diligent efforts, the City and region have achieved designation of a future High Speed Train station east of Hanford. This station will provide a critical regional link to the future State-wide high speed train network. Our region is also fortunate to be designated as the first segment of the HST system to be constructed, thereby further solidifying the viability of our future station. Collaboration between the State High Speed Rail Authority and local governments is needed to ensure that a station is properly sited and designed to serve regional needs. Due to the close proximity of the station location to Visalia, our community will benefit significantly from the linkage to high speed rail. Given the leadership role taken by Visalia over the past several years, it is critical for our city to stay closely involved with the high speed rail effort. Regional economic benefits from HST construction will potentially be in the billions of dollars, while the long term value of convenient access to high speed train travel is invaluable.

**Applications for state funding:** Assistance could also be garnered in applications for state funding. While the City has been successful in the past, State budget constraints will make funding availability much more competitive in the future. Interaction with transportation funding agencies such as Cal Trans, the California Transportation Commission, and water quality funding through the Department of Water Resources is becoming more important. While City staff has been successful in acquiring funding from CalTrans, a lobbyist would advocate for continued appropriation of funding at the state level, provide assistance for funding requests either by competitive applications or allocations. With the current state budget crisis, and impending impacts to local funding streams, it is even more imperative that a lobbyist act on behalf of the City in areas of local funding that may be in jeopardy. The City already applies for and, in the last funding cycle, has obtained funding from the Highway Safety Improvement Program (\$600,000), Transportation Enhancement Activities (\$500,000, the maximum amount allowed), and both the Federal and State Safe Routes to Schools (totaling \$410,000).

The Visalia Police Department has been successful in obtaining \$557,165 in state grants from the Alcoholic Beverage Control and Office of Traffic Safety due to its history of successful use of the grant monies. Assistance from a state legislative advocacy services would prove useful in applying for the more highly competitive grants, such as the Governor's Office of Emergency Services Gang Reduction, Intervention and Prevention (CalGRIP) grant for \$355,557.

**Search process:** It has become increasingly apparent that a Sacramento-based representative is needed with strong, established relationships in the State Capitol to assist the City with its efforts to connect and work with appropriate Agency representatives and legislative staff. It's important to note that the request to initiate this process is not a request for the authority to hire. A process similar to the one used for legislative advocacy services at the Federal level would be utilized, with a subcommittee (which would include two Council members) reviewing the firms who best meet the needs of the City. If a suitable firm cannot be identified by the committee, no

recommendation will be made to hire. If a firm does prove to be the right match at a reasonable cost, the sub-committee's recommendation would come back to Council for approval.

Legislative advocacy services have typically included the following:

- Monitoring and analysis of proposed legislation that will affect the City.
- Presenting the City's position and/or concerns about pending legislation to State legislators, the Governor's office, and State agencies.
- Pursuing legislative changes that would benefit the City of Visalia.
- Arranging and participating in meetings with legislators and appropriate State agency staff as necessary.
- Contacting appropriate State agency representatives for assistance or determinations on regulatory or legislative matters affecting the City.
- Pursuing appropriate State funding opportunities for City projects and programs.

From 2002 to 2009, the City utilized Advocation Inc., a Sacramento-based lobbying firm, for legislative advocacy services. Advocation Inc. provided lobbying services to the City at a cost of \$60,000 per year plus expenses.

On April 6, 2009, the Visalia City Council directed the staff to discontinue contracting for State legislative advocacy services. The Council took this action as a cost-saving measure given the \$4.5 million deficit the City was facing for its 2009-10 Fiscal Year, and the continuing tumultuous conditions of the economy.

Staff believes that it is an appropriate time to evaluate the market for these services and invite proposals from interested firms for legislative advocacy services. This would provide an opportunity to examine available, qualified lobbying firms to determine which firm can provide State-level advocacy services that reflect the City's current needs and priorities at a reasonable cost.

**Prior Council/Board Actions:** NA

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

**Alternatives:** NA

**Attachments:** None

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the City Manager to initiate a process to solicit proposals from qualified firms which provide legislative advocacy (lobbying) services at the State level.

***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

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11k

**Agenda Item Wording:** Award a contract for the purchase of four (4) new marked Police patrol vehicles to McPeeks Dodge in the amount of \$197,016.

**Deadline for Action:** N/A

**Submitting Department:** Police

**Contact Name and Phone Number:** Chief Colleen Mestas, ext. 4215; Lt. Ed Lynn, ext. 4104; Renee Nagel ext 4375

**Department Recommendation:** The Police Department recommends that the City Council award a contract for the purchase of four (4) new marked Police patrol vehicles to McPeeks Dodge in Anaheim in the amount of \$197,016.

**Summary/background:**

The Police Department is budgeted to purchase six (6) patrol units this fiscal year. The department is proposing to purchase four (4) new Dodge Chargers for patrol units now. These four (4) vehicles are scheduled replacement patrol vehicles that Council approved as part of the City of Visalia Budget for FY 2010/11.

The reason that the department is delaying the purchase of the last two patrol vehicles now is in a hope that it can purchase these two (2) vehicles and next year's seven (7) vehicles using the State contract, possibly working with local dealers to match State contract pricing.

In FY 09/10 staff started transitioning the patrol fleet to the Dodge Charger due to the Ford Crown Victoria model being discontinued in 2011. The Dodge Charger has proven to be a safe, efficient, and effective police packaged vehicle. The Los Angeles County Sheriff's perform an annual test and the Dodge Charger continually outperformed other police packaged vehicles in every category. The categories tested include braking, acceleration, fuel economy and preliminary handling. The California Highway Patrol and numerous other agencies are transitioning to the Dodge Charger.

**For action by:**

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

**For placement on which agenda:**

- Work Session
- Closed Session

**Regular Session:**

- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): 1

**Review:**

**Dept. Head** \_\_\_\_\_

**Finance** \_\_\_\_\_

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

**City Mgr** \_\_\_\_\_

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

On December 14th, the Purchasing Division solicited for bids by advertising in the Visalia Times Delta and by mailing bid notices to Dodge dealerships. In addition, the bid was also posted on Bid-Net. Purchasing received five (5) bids as shown in Table 1 – Bid Summary:

**Table 1 – Bid Summary (Sorted by Low to High Bid)**

<b>Dealership</b>	<b>City Located</b>	<b>Total Bid</b>	<b>Price Per Car</b>
McPeeks Dodge	Anaheim	\$197,016.00	\$ 49,254.00
Jim Manning Chrysler, Jeep, Dodge	Dinuba	\$209,486.00	\$ 52,371.50
Folsom Lake Dodge	Folsom	\$213,104.00	\$ 53,276.00
Lampe Chrysler, Dodge, Jeep	Visalia	\$215,624.00	\$ 53,906.00
Hoblit Chrysler, Jeep, Dodge	Woodland	\$675,087.56	\$168,771.89

On June 21, 2010, Council enacted a local preference. The local preference applies to any business that has a business address within Tulare County for a minimum of six months. A Post Office Box is not accepted as a business address.

The local preference for bids consists of a match preference in which a local vendor whose bid is within 5% of the apparent low bidder will be given three (3) business days, from date notified, to match or beat the low bid. If there is more than one local vendor that is within the 5% range, the offer goes to the local vendor that is closest to the low bid.

The Purchasing Division received 2 bids from local dealerships, however, neither dealership was within the 5% range.

All four (4) patrol vehicles being replaced have been evaluated by Fleet Maintenance and have exceeded their useful lifecycle as police units as outlined in the City's Vehicle Replacement Policy.

Funding for the four (4) replacement vehicles comes from the Vehicle Replacement Fund (5012).

**Prior Council/Board Actions:** N/A

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

**Alternatives:** Purchase the eight patrol vehicles in FY 2011/12.

**Attachments:**

**Recommended Motion (and Alternative Motions if expected):** The Police Department recommends that the City Council award the contract to purchase 4 patrol vehicles to McPeeks Dodge of Anaheim in the amount of \$197,016.

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11L

**Agenda Item Wording:** Request authorization to accept an "Irrevocable Offer to Dedicate Real Property" for Tulare Avenue, Vista Street and McAuliff Street right-of-way for roadway purposes as offered per Vista Heights Subdivision Map, generally located on the east side of the Vista Street alignment, the north side of the Tulare Avenue alignment and on the west side of McAuliff Street.

Resolution No 2011-01 required

**Deadline for Action:** January 18, 2011

**Submitting Department:** Community Development Department/  
Engineering Division

**Contact Name and Phone Number:**

Adam Ennis, Engineering Services Manager, 713- 4323  
Chris young, Community Development Director, 713-4392

**Department Recommendation:** Staff recommends that the City Council accept the "Irrevocable Offer to Dedicate Real Property" for Tulare Avenue, Vista Street and McAuliff Street right-of-way for roadway purposes as offered per Vista Heights Subdivision Map, generally located on the east side of the Vista Street alignment, the north side of the Tulare Avenue alignment and on the west side of McAuliff Street.

**Summary:** Acceptance of this irrevocable offer of dedication will provide a portion of the right-of-way needed for construction of the Tulare Avenue Extension Project from Lover's Lane to McAuliff Street. Subsequent additional right-of-way acquisition will be required to provide the full right-of-way needed for the project. The street improvements for the Tulare Avenue Extension, which includes the Vista Street connection and widening of a portion of McAuliff Street, is currently in design and is anticipated to be constructed through a City capitol improvement project in 2011. This project will also be constructed in conjunction with construction of the Creekside Park/Pond to be located on the southwest corner of McAuliff Street and Tulare Avenue.

**Background:** On September 7, 2010, City Council authorized the advancement of several projects by bonding for the construction funding. One of those projects was the Tulare Avenue Extension Project. Acceptance of the irrevocable offer of dedication will provide the City with; 1) a 28-foot wide, eastern half street right-of-way along the Vista Street alignment between Tulare Avenue and Laurel Avenue, 2) an 18-foot wide portion of street right of way along the Tulare Avenue alignment and 3) a 22-foot wide portion of street right of way along the west side of McAuliff Avenue, which will provide an 84-foot full width street north of Tulare Avenue. The

or action by:

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

For placement on which agenda:

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

Est. Time (Min.):   1  

Review:

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

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

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

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

width of Tulare Avenue will be 84 feet, requiring an additional 24 feet on the north side of Tulare Avenue between Vista Street and McAuliff Street to be purchased by the City. This additional right-of-way is needed due to the Creekside Park/Pond being constructed on the south side of Tulare Avenue which required more area for the park.

An irrevocable offer of dedication is a means used by public agencies to ensure that right-of-way can be obtained at a future time. Government Code Section 7050 states that an irrevocable offer of dedication “may be accepted at any time by the City Council of the City within which such real property is located at the time of acceptance.” Irrevocable offers of dedication are acquired by public agencies during development entitlement processes, such as subdivisions or conditional use permits, to enable dedication to be exercised when the need to widen or improve a street becomes necessary.

**Prior Council/Board Actions:** Acceptance of the Subdivision Map for Vista Heights on December 2, 2003.

**Committee/Commission Review and Actions:** None

**Alternatives:** Relinquish the Irrevocable Offer of Dedication for Real Property as offered per Vista Heights Subdivision.

**Attachments:** Project Location Map  
Resolution 2011-01  
Acquisition Exhibit

**City Manager/Executive Director Recommendation:**

**Recommended Motion (and Alternative Motions if expected):**  
Move to accept an “Irrevocable Offer to Dedicate Real Property” for Tulare Avenue, Vista Street and McAuliff Street right-of-way for roadway purposes as offered per Vista Heights Subdivision recorded March 10, 2004 in Book 40 of Maps at page 58, T.C.R.

Copies of this report have been provided to:



***Environmental Assessment Status***

**CEQA Review:**

Required? Yes  No

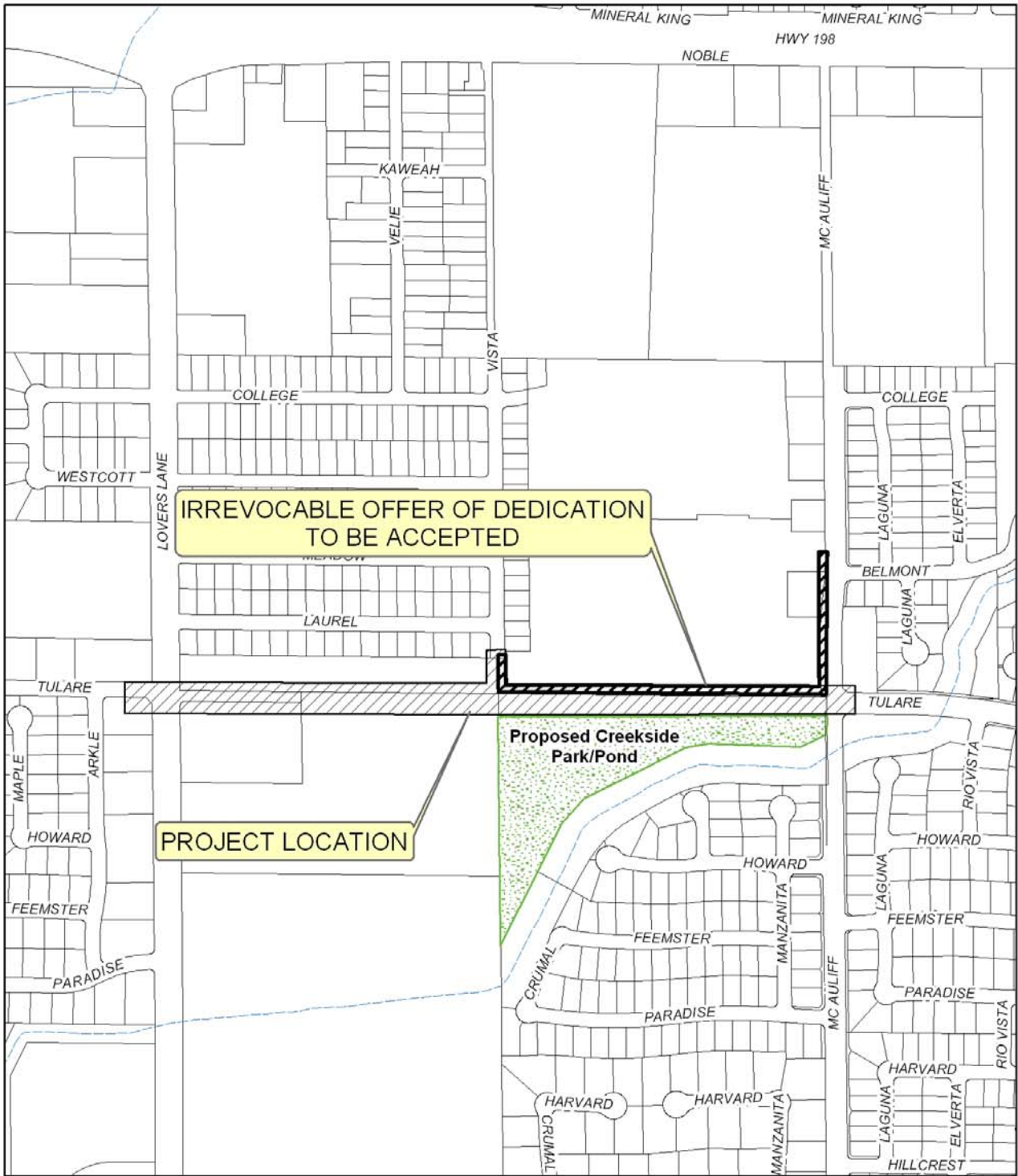
Review and Action: Prior:  
Required:

**NEPA Review:**

Required? Yes  No

Review and Action: Prior:  
Required:

**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*)



**Tulare Avenue Extension  
Irrevocable Offer of Dedication**



Scale: 1"=500'

**RESOLUTION NO. 2011-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA  
AUTHORIZING THE ACCEPTANCE OF A  
IRREVOCABLE OFFER TO DEDICATE REAL PROPERTY  
ALONG TULARE AVENUE, VISTA STREET AND McAULIFF STREET**

**WHEREAS**, as offered per Vista Heights Subdivision recorded March 10, 2004 in Book 40 at page 58, T.C.R. and

**WHEREAS**, the City Council of the City of Visalia finds it to be in the public interest to accept into the City's street system those certain parcels more particularly and legally described as follows:

Commencing at the center of Section 34, Township 18 South, Range 25 East, M.D.B.&M.;

Thence South  $89^{\circ}23'45''$  East 20.01 feet more or less to the west right of way line of McAuliff Street the True Point of Beginning;

Thence North  $00^{\circ}37'46''$  West 575.30 feet and parallel to the east line of the Northwest Quarter of said Section 34 to a point 20.00 feet, measured at right angles, from said east line of the Northwest Quarter of Section 34, also said point being the beginning of a curve concave to the west having a radius of 1,358.00 feet;

Thence southerly 170.35 feet along said curve through a central angle of  $07^{\circ}11'14''$  to the beginning of a reverse curve concave to the east having a radius of 1,442.00 feet, a radial line through said beginning of a reverse curve bears South  $83^{\circ}26'32''$  East;

Thence southerly 180.89 feet along said reverse curve through a central angle of  $07^{\circ}11'14''$  to a point 42 feet west, measured at right angles, from the east line of said Northwest Quarter of Section 34;

Thence South  $00^{\circ}37'46''$  East 186.08 feet parallel with said west right of way line of McAuliff Street to the beginning of a curve concave to the northwest having a radius of 20.00 feet;

Thence southerly 31.85 feet along said curve through a central angle of  $91^{\circ}14'01''$  to a point 18 feet, measured at right angles, from the south line of said Northwest Quarter of Section 34, a radial line through said point bears South  $00^{\circ}36'15''$  West;

Thence North  $89^{\circ}23'45''$  West 1,209.61 feet and parallel to the south line of said Northwest Quarter of Section 34 to the beginning of a curve concave to the northeast having a radius of 20.00 feet;

Thence northwesterly 31.01 feet along said curve through a central angle of  $88^{\circ}49'54''$  to a point on the prolongation of the east right of way line of Vista Street, a radial line through said curve bears South  $89^{\circ}26'09''$  West;

Thence North 00°33'51" West 129.21 feet along the prolongation of the east right of way line of Vista Street to a point on the existing east right of way line of Vista Street;

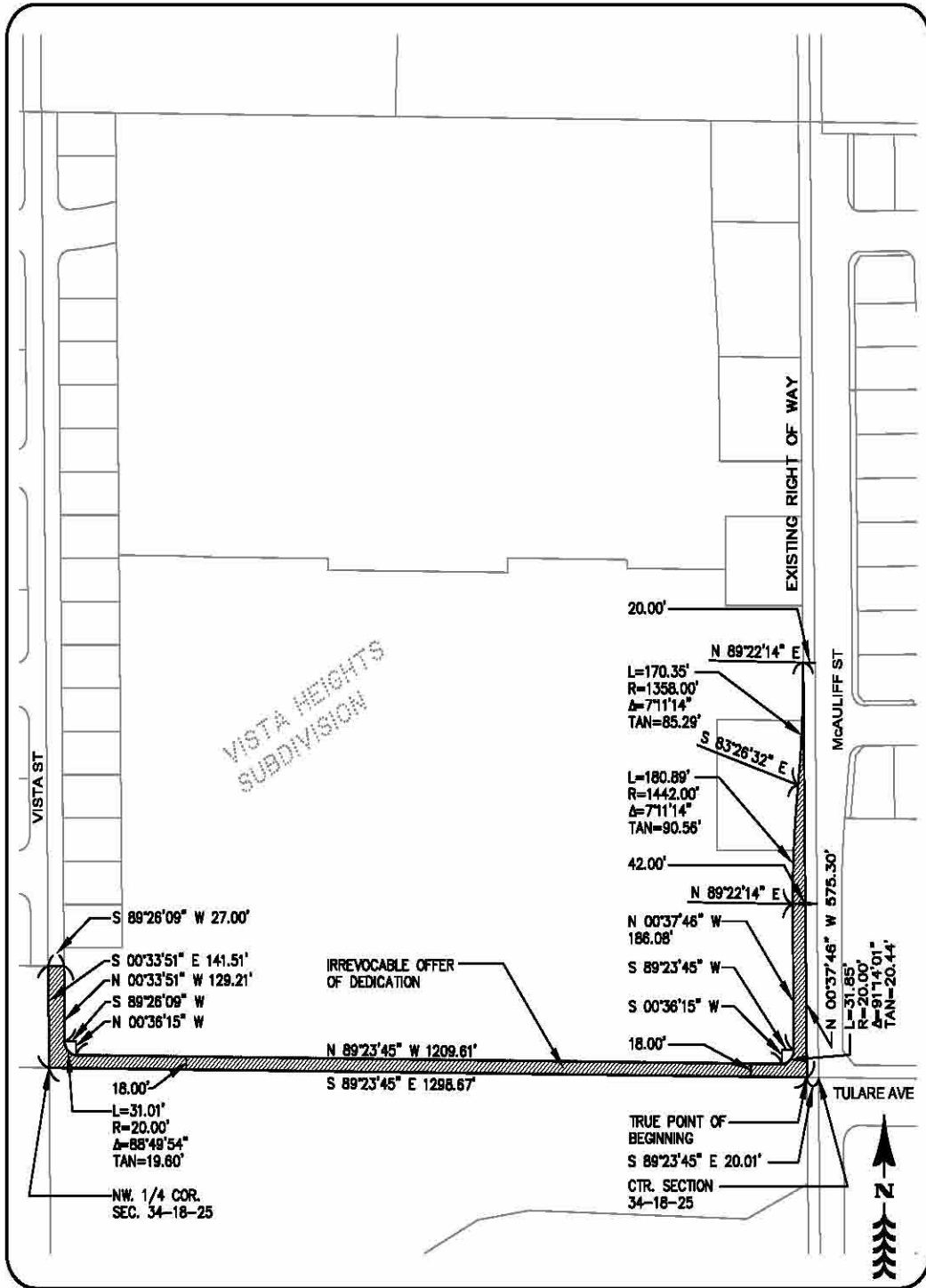
Thence South 89°26'09" West 27.00 feet to the east line of the Northwest Quarter of the Northwest Quarter of said Section 34;

Thence South 00°33'51" East 141.51 feet to the south line of said Northwest Quarter of Section 34;

Thence South 89°23'45" East 1298.67 feet to the True Point of Beginning.

See Exhibit A for map.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Visalia hereby accepts the "Irrevocable Offer to Dedicate Real Property" as described herein and made a part thereof.



DATE:	1/5/11
JOB NO.:	1241-9823
DRAWN BY:	LG
SCALE:	1"=200'
SHEET NO.:	N/A

DESCRIPTION:	EXHIBIT "A"
TITLE:	TULARE AVE EXTENSION



# City of Visalia Agenda Item Transmittal

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11m

**Agenda Item Wording:** Authorize the City Manager to execute an agreement with TPG Consulting, Inc. (of Visalia) in the amount of \$125,939 to conduct a Downtown Traffic Circulation Study.

**Deadline for Action:** None

**Submitting Department:** Community Development Department/  
Engineering Division

**Contact Name and Phone Number:**

Chris Young, Director of Community Development. 713-4392  
Eric Bons, Senior Civil Engineer 713-4350

**Department Recommendation:** Authorize the City Manager to execute an agreement with TPG Consulting Inc. of Visalia in the amount of \$125,939 to conduct a Downtown Traffic Circulation Study.

**Summary:** On March 2, 2009, City Council authorized the hiring of a consultant to conduct a Downtown Traffic Circulation Study with a budget not to exceed \$135,000. City staff subsequently prepared a Request for Proposals (RFP) with a detailed scope of work. Six consultant firms responded to the RFP with proposals and associated fees (fees in sealed envelopes separate from their proposals). These firms were Peters Engineering Group, TPG Consulting Group, Sigma Engineering Solutions, Fehr and Peers, Inc., TJKM Transportation Consultants and Omni Means.

City staff invited eleven downtown community leaders to participate in evaluating and rating the submitted proposals and selecting the consultant to conduct the study. Of those invited, eight volunteered to participate in the selection process. These participants represented the City Council, Kaweah Delta District Hospital, Cal Trans, Visalia Police Department, Downtown Alliance, Property Based Improvement District and City of Visalia Engineering. Based on the review and rating of the written proposals, the committee selected the three "top ranking" firms for oral interviews. These firms were TPG Consulting Group, Omni Means and TJKM Transportation Consultants. Following the oral interviews, the selection committee chose TPG Consulting, Inc. to perform the Downtown Traffic Circulation Study.

After the ratings were completed, the fees of the top three firms were reviewed. The fees proposed by the top three firms were \$147,911 (TPG Consulting Group), \$120,906 (Omni Means) and \$139,293 (TJKM Transportation Consultants). Based on TPG Consulting Group's

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 3

**Review:**

**Dept. Head** \_\_\_\_\_  
**(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.

fee and the proposed budget for the study, City staff and TPG Consulting Group negotiated the scope of work and fee to provide a complete study within the approved budget.

**Background:** Maintaining and improving transportation circulation is vital to sustaining current businesses and attracting desirable development to the downtown in the future. To accomplish this goal, it is essential that we develop a comprehensive long range plan. Some projects (future over crossings, rail crossings, interchanges, corridor improvements, light rail, bus rapid transit, etc.) will require years of planning and coordination with Caltrans, the CPUC, TCAG and community groups. This traffic circulation study will analyze, and make specific recommendations regarding transportation circulation, on-street parking, signal coordination corridors, bike lanes and mass transit (both bus and rail) in the downtown. These specific recommendations will help to form a plan for current and long-range improvements that could be incorporated into the City's future Capital Improvement Programs (some potentially funded by Measure R). Without this study, it will be extremely difficult for staff to appropriately determine future development requirements and project needs.

Recent developments such as the Kaweah Delta Health Care District Expansion, the new Buckman-Mitchell Company Building, the increased seating in Recreation Park Stadium, and traffic circulation modifications such as the Acequia Avenue Two-way Conversion and the Santa Fe Overcrossing (at Highway 198) have impacted transportation circulation in the downtown. Future projects like the Santa Fe widening, the Ben Maddox Bridge Improvements (at Highway 198), the extension of Burke Street (from Roosevelt to Houston Avenues), the Transit Center Expansion, the new Civic Center, redevelopment of City owned property in the east downtown, interchanges/overcrossings of the 198 and the continuation of the Kaweah Delta Health Care District's Master Planned Expansion will significantly impact circulation in the future.

City staff has responded to numerous inquires from, and had discussions with, residents, members of the Downtown Visalians, and other groups regarding transportation and on-street parking in the downtown. This downtown traffic study will address the need for a comprehensive study to examine and identify the current and future needs related to downtown transportation circulation, and on-street parking. This study will examine, discuss and make recommendations regarding mass transit (rail and bus) and specific improvements to the City's Bikeway Plan in the downtown area. Information gathered by this study will be used in the upcoming update to the City's Circulation Element of the General Plan. The study area (see Exhibit "A") is bounded by;

- Noble Street on the south,
- Ben Maddox Way on the east,
- Goshen Avenue on the north between Ben Maddox Way and Burke Street,
- Murray Avenue on the north between Burke Street and Giddings Street,
- Giddings Street on the west between Murray Avenue and Center Avenue,
- then projecting west with Center Avenue as a north boundary between Giddings Street and Hall Street,
- Hall Street on the west between Center Avenue and Main Street,
- Main Street as the south boundary between Hall Street and Giddings Street, and
- Giddings Street as the west boundary between Main Street and Noble Avenue.

The scope of services (see Exhibit "B") is designed to provide a comprehensive analysis of the downtown area and provide specific recommendations addressing the transportation circulation and on-street parking for the present and projected future conditions. As part of the process of developing the final report, the consultant will be required to include a public outreach

component to ensure the final report considers all the pertinent issues pertaining to the downtown area. City staff will give all available recent traffic count and other available information to the consultant, and perform as many of the needed counts as possible “in-house” in order to minimize the cost of the study.

**Funding Sources:** City Council authorized the expenditure (not to exceed \$135,000) on March 2, 2009. The cost of the study will be split between the Central Visalia Redevelopment Area Fund (1931), and the Downtown Visalia Redevelopment Area Fund (1921). The Board of Directors of the Property and Business Improvement District (PBID) support the need for this study and will fund \$5,000 toward the cost of the study (see Exhibit “C”).

**Alternatives:**

1. Do not authorize the execution of the agreement between the City of Visalia and TPG Consulting Inc. for the Downtown Traffic Circulation Study.
2. Incorporate this into a comprehensive General Plan Update (Circulation Element).

**Attachments:** EXHIBIT “A” - Location Map – Study Boundaries  
EXHIBIT “B” - Scope of Services  
EXHIBIT “C” - Letter of Support from PBID

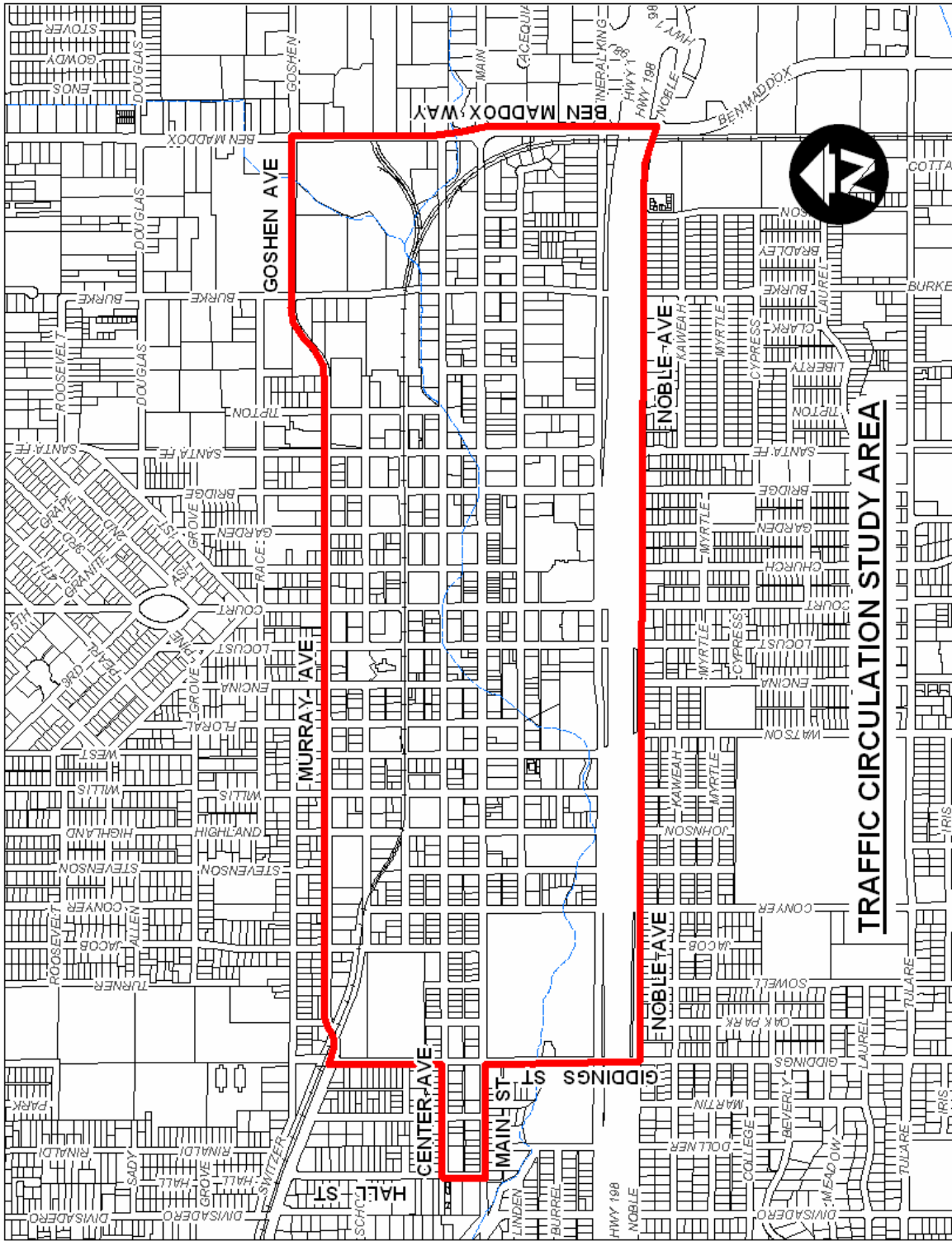
**Recommended Motion (and Alternative Motions if expected):** I move to authorize the City Manager to execute an agreement with TPG Consulting Group, Inc. of Visalia, in the amount of \$125,939, to conduct a Downtown Traffic Circulation Study.

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



# EXHIBIT "A"

## Location Map - Study Boundaries



# EXHIBIT “B”

## Scope of Services

1. The Transportation Circulation Study shall analyze current traffic volumes, and future traffic volumes for the years 2020 and 2030 based on the current Zoning Ordinance and General Plan.
2. The report shall include specific recommendations to improve or mitigate current and future transportation circulation in Downtown Visalia.
3. The study shall analyze, discuss and make specific recommendations regarding current and future on-street parking needs.
4. The study area (downtown Visalia) is bounded by;
  - Noble Street on the south,
  - Ben Maddox Way on the east,
  - Goshen Avenue on the north between Ben Maddox Way and Burke Street,
  - Murray Avenue on the north between Burke Street and Giddings Street,
  - Giddings Street on the west between Murray Avenue and Center Avenue,
  - then projecting west with Center Avenue as a north boundary between Giddings Street and Hall Street,
  - Hall Street on the west between Center Avenue and Main Street,
  - Main Street as the south boundary between Hall Street and Giddings Street, and
  - Giddings Street as the west boundary between Main Street and Noble Avenue.
5. The study will analyze, discuss and make specific recommendations regarding current and future mass transit (bus and rail) uses and opportunities.
6. Study will also include a comprehensive analysis of and specific recommendations for improvements to the City’s Bikeway Plan (focusing on the downtown area).
7. The study must analyze and discuss the impacts of possible street closures (West Street between Mineral King and Acequia, and Willis Street between Mineral King and Acequia).
8. The study should analyze and discuss the possible conversion of Center Avenue from one-way to two-way traffic where it presently exists as one-way westbound between Bridge Street and Hall Street.
9. Consideration must be given to all currently planned Capital Improvement Program Projects. For example these would include the new bridge over SR 198 at Santa Fe St., the Ben Maddox Bridge (at the 198) improvements.
10. Study shall specifically include an analysis of a possible expansion of the Santa Fe Corridor to four lanes of travel between Noble Avenue and Race Avenue.
11. Consideration must be given to the extension of Burke Street between Roosevelt Avenue and Houston Avenue and the increased traffic on Burke St. through the downtown.
12. The Downtown area is significantly changing in land uses. Traffic projections and recommended solutions must consider what uses will likely exist in the years 2020 and 2030. Consideration must be given to the recommendations in the “East Visalia Downtown Master plan”.

13. Scope of services to include at least two public meetings to gather input from all interested parties. The selected consultant shall specifically solicit input from current and potential stakeholders including, but not limited to, downtown business and property owners (within the study area), Kaweah Delta Medical Center, the Downtown Alliance, Visalia Chamber of Commerce, Tulare Kings Hispanic Chamber of Commerce, Caltrans, Downtown Visalians, the Visalia Unified School District and Tulare County.
14. The transportation circulation study shall be completed six months after the notice to proceed has been issued by the City of Visalia.
15. The services shall consider and provide recommendations for additional on-street parking in the downtown area currently and in the future. Study shall also include a recommended implementation schedule.
16. The consultant shall provide the City with a detailed project schedule of their process to complete the study and the associated milestone dates. The project schedule shall identify;
  - The proposed public input/out-reach meetings,
  - Any meetings with City staff for project updates
  - Identify milestone dates for submittal dates and review dates.
  - Draft report to be submitted to the City with a presentation to City Council comments and City Council input.
  - Date of final report submittal and presentation of final report to City Council.
17. The final report shall include but is not limited to;
  - An executive summary
  - All the data used to analyze the project area,
  - A discussion of method and how the data was used to derive the final recommendations,
  - All recommendations shall be accompanied by an outline of how to reach the recommendations.
  - A discussion of alternatives to provide the funding for the implementation of the recommendations.
  - Twelve bound copies of the final report and an electronic copy of the final report shall be presented to the City.

# EXHIBIT "C"

## Letter of Support



104 South Church Street  
Visalia, CA 93291  
Phone: 559 732-7757  
Fax: 559 732-7750  
Email: [info@comcomvisalia.com](mailto:info@comcomvisalia.com)

*Working together to enhance  
Downtown Visalia.*

DOWNTOWN VISALIA  
ALLIANCE – PBID III

#### BOARD OF DIRECTORS

Anil Chagan  
Basil Perch  
Clara Whitlatch  
Greg Collins  
Harvey May  
John Barbis  
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Michael Fisterera  
Michael Kreps  
Michael Williams  
Pam Coz-Hill  
Philip Bianco  
Stephen Peck  
Phil Cox  
Susan Margini  
Tami Crawford  
Tom Gaeba  
Tom Link  
Vernon Barr  
William Martin

January 28, 2009

Jesus Gamboa, Mayor  
City of Visalia  
315 E. Acequia Avenue  
Visalia, CA 93291

**RE: Parking and Traffic Circulation Study**

Dear Mayor Gamboa and Members of City Council:

At the monthly meeting in January, members of the Board of Directors of the Property and Business Improvement District (PBID), voted to contribute \$5,000 toward the proposed Downtown Parking and Traffic Circulation Study.

As stewards of the downtown, we continue to work with you to ensure circulation throughout the area is convenient, safe for pedestrians, welcomes visitors and protects business interests. Traffic circulation and parking must be well planned for all our partners that rely on convenient transportation corridors throughout the central business district.

Thank you in advance for your support of this very important study and for encouraging our continued partnership.

Sincerely,  
William Martin  
Chairman

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11n

**Agenda Item Wording:** Request authorization to file a Notice of Completion for the Packwood Creek Trail Project from County Center Drive to 1,100 ft east of Mooney Boulevard (Project No. 3011-00000-720000-0-9915) with a final cost of \$500,264.34.

**Deadline for Action:** None.

**Submitting Department:** Community Development

**Contact Name and Phone Number:**

Paul Shepard, Management Analyst, 713-4209  
Adam Ennis, Engineering Services Manager, 713-4323  
Chris Young, Community Development Director, 713-4392

**Department Recommendation:** Staff recommends that authorization be given to file a Notice of Completion for the Packwood Creek Trail Project, Project No. 3011-00000-720000-0-9915.

**Summary:** The project consisted of providing irrigation, landscaping, asphalt trail and signage along Packwood Creek from County Center to 1,100 feet east of Mooney Boulevard. The construction work for the project was completed by Agee Construction, Inc. at a final cost of \$500,264.34. The awarded contract amount for the construction was \$418,663.00.

**Background:** There were five change orders approved by the change order committee totaling \$81,601.34 (19.5%) applied to this project and covered by the trail funding. The approved changes were:

1. Change Order No. 1 - Additional work was done at the intersection of County Center and Cameron. The work included additional grading, asphalt, header board, and striping to construct the curb return and handicap ramp at the ultimate location rather than at existing edge of pavement. This eliminated the need to relocate these improvements in the future.

Total Cost of Change Order No. 1: \$4,168.20

2. Change Order No. 2 – Additional aggregate base and the installation of two power poles. Additional aggregate base was added to a section of trail to raise the elevation and improve drainage of the trail. Due to Southern California Edison’s required service

**For action by:**

City Council  
 Redev. Agency Bd.  
 VPFA

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

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

**Review:**

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

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

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

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

location, two additional power poles were needed to bring electrical power from the north side of Packwood Creek to the irrigation controllers.

Total Cost of Change Order No. 2: \$38,822.75

3. Change Order No. 3 – At a point close to Packwood Creek, the contractor encountered wet and unstable subgrade soil due to migration of moisture from Packwood Creek. To mitigate the unstable soils, soil stabilization fabric and additional earthwork were needed. Also, \$317 was reimbursement to the contractor for the SWPPP Notice of Intent fee.

Total Cost of Change Order No. 3: \$10,600.71

4. Change Order No. 4 – The installation of mulch at several additional locations (at the western end of the project) was added. Additional items included: 1) changing out two irrigation backflow unions to meet current California Water Service requirements, 2) additional electrical conduit and increasing the irrigation stations of the east controller to accommodate a future extension of the irrigation system, and 3) the addition of bamboo stakes on the center leader of the new oak trees.

Total Cost of Change Order No. 4: \$16,614.53

5. Change Order No. 5 – This change order included the cost of the additional mulch placed in the eastern portion of the project and transportation of the mulch. This change order also included an adjustment of quantities for striping on the trail, additional electrical conduit, and the deletion of eleven plants and one set of directional arrows which were not needed.

Total Cost of Change Order No. 5: \$11,395.15

**Prior Council/Board Actions:** The City Council Awarded the Construction Contract at the April 19, 2010 meeting.

**Committee/Commission Review and Actions:** None.

**Alternatives:** None.

**Attachments:** Exhibit # 1 – Site Location Map

**Recommended Motion (and Alternative Motions if expected):** I move to authorize filing the Notice of Completion for the Packwood Creek Trail, Project No. 3011-00000-720000-0-9915.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2010

**Agenda Item Number (Assigned by City Clerk):** 11o

**Agenda Item Wording:** Request authorization to file a Phase 1 Notice of Completion for Main Street Promenade (Site Plan 09-108), located on the north side of Main Street between Bridge Street and Santa Fe Street. (APN 094-294-011 and 012)

**Deadline for Action:** None

**Submitting Department:** Community Development Department/  
Engineering Division

**Contact Name and Phone Number:**

Doug Damko, Senior Civil Engineer – 713-4268  
Adam Ennis, Engineering Services Manager – 713-4323  
Chris Young, Community Development Director – 713-4392

**Department Recommendation:** Staff recommends that Council grant authorization to file a Phase 1 Notice of Completion for the Main Street Promenade (Site Plan 09-108).

**Summary:** All of the required Phase 1 public improvements related to this commercial project have been completed and are ready for acceptance by the City Engineer. The Phase 1 improvements consist of the Mill Creek culvert repair and the Bridge Street storm drain line replacement. The City has established a reimbursement agreement with the developer for these Phase 1 improvements. The developer for this commercial project is Main Street Promenade, LLC. Main Street Promenade, LLC has submitted a warranty bond in the amount of \$37,520 (as required by the Project Improvements Agreement) to guarantee the work, labor and materials furnished for the construction of the Phase 1 public improvements for a period of one (1) year.

**Background:** Due to timing for development of the project and the required order of construction, this project was divided into two phases. The first phase was needed to repair and improve subsurface facilities located within and adjacent to the project site. Future Phase 2 improvements include the remaining public improvements around the Main Street Promenade building. These improvements consist of the alley reconstruction, sidewalk and landscaping. Street improvements necessary to convert this portion of Main Street to a one-way eastbound roadway will be constructed through a City Capital Improvement Project in the spring and summer of 2011. Temporary asphalt paving was used to “cover” some of the utility installations (trenches) in portions of Main Street between Garden Street and Santa Fe Street. This temporary pavement will be replaced as part of an upcoming City Capital Improvement Project (scheduled to start in the Spring of 2011). In the meantime, the temporary paving will be monitored by the City and maintained by the appropriate utility company.

**For action by:**

City Council  
 Redev. Agency Bd.  
 VPFA

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 1Min.

**Review:**

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

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

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

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



**Prior Council/Board Actions:** N/A

**Committee/Commission Review and Actions:** The development plan for this commercial project was approved by the Site Plan Review Committee on July 7, 2010 and was assigned as Site Plan 09-108.

**Alternatives:** N/A

**Attachments:** Location Map  
Developer Disclosure Form

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

I hereby move to authorize the filing of a Phase 1 Notice of Completion for Main Street Promenade (Site Plan 09-108).

***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:

713-4833



# CITY OF VISALIA Disclosure Development Project

## NOTICE OF COMPLETION

**INCOMPLETE OR LATE SUBMISSION OF DISCLOSURE STATEMENT COULD RESULT IN  
CONTINUANCE OR DELAY OF YOUR PROJECT.**

**SITE:**

Address or APN(s): 400 East Main Street  
Short Title or Name of proposed project: Main St Promenade (Site Plan 09-108)  
Summary description of the proposed project: Mill Creek Culvert Repairs and Bridge St  
storm drain line replacement.


**DEVELOPERS:**

If more than two developers, please provide information and signature(s) on a separate sheet.

Name (print) Main St. Promenade, LLC Name (print) \_\_\_\_\_  
Mailing Address 1005 North Demaree Mailing Address \_\_\_\_\_  
Visalia, CA 93291  
Phone 559-732-2200 Phone \_\_\_\_\_

Statement: I/We declare under penalty of perjury that I am/we are the developers(s) of the property per the executed Subdivision Agreement with the City of Visalia. I/We authorize the person named in this application as the Project Main Contact to act as my/our representative with City Staff regarding the processing of this application.

December 10, 2010  
Date

  
\_\_\_\_\_  
Developer Signature  
Stephen J. Peck  
Print Name & Title

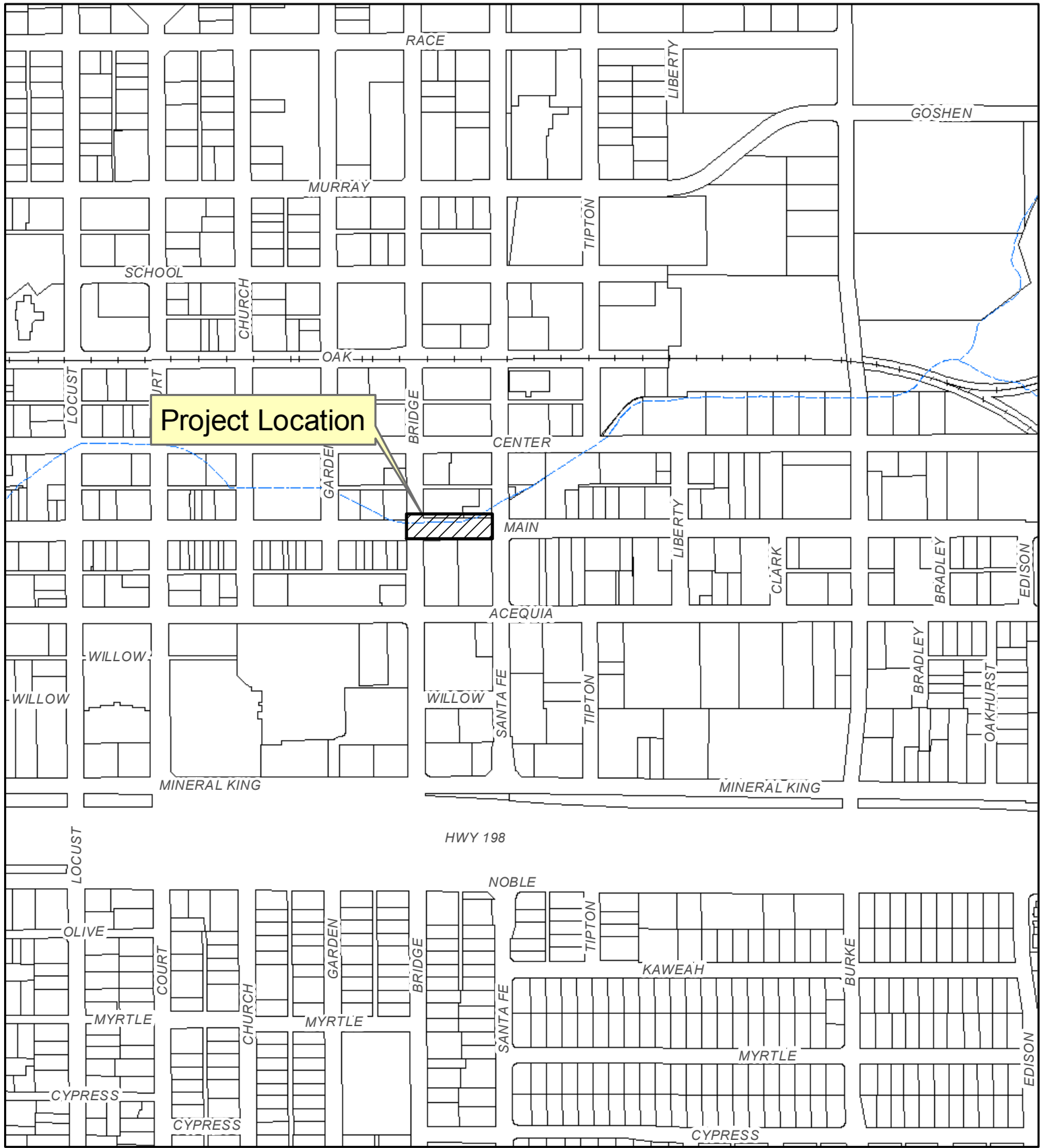
\_\_\_\_\_  
Date

\_\_\_\_\_  
Developer Signature  
\_\_\_\_\_  
Print Name & Title

**NAMES OF PRINCIPALS, PARTNERS, AND OR TRUSTEES:**

List the names of all principals, partners, and/or trustees where any property owner and/or developer/builder are a partnership or trust. For corporations provide names of officers, directors and all stockholders owning more than 10% equity interest in corporation:

Partner/Owner/Trustee: Craig Mangano  
Partner/Owner/Trustee: Andy and Laurie Mangano  
Partner/Owner/Trustee: Bob and Wendy Dowds  
Partner/Owner/Trustee: Stephen and Sharon Peck  
Partner/Owner/Trustee: \_\_\_\_\_



# Main St Promenade Location Map



Scale: 1"=500'

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11p

**Agenda Item Wording:** Authorize the City Manager to execute an agreement with Republic ITS, Inc., and award a construction contract in the amount of \$141,353 to install 1,323 LED (light emitting diode) lamps at 78 signalized intersections.

**Deadline for Action:** N/A

**Submitting Department:** Community Development Department/  
Engineering Division

**Contact Name and Phone Number:**

Adam Ennis – Engineering Services Manager, 713-4323  
Chris Young – Community Development Director, 713-4392

**Department Recommendation:** Authorize the City Manager to execute an agreement with Republic ITS, Inc, and award a construction contract in the amount of \$141,353 to install 1,323 LED lamps at 78 signalized intersections.

**Summary:** Republic ITS, Inc., has submitted the lowest responsible bid, and it is staff's recommendation to award this contract to them. The project consists of replacement of existing incandescent and neon traffic signal heads with new LED energy efficient signal heads. This project is entirely funded by an Energy Efficiency Community Block Grant (EECBG) thru the American Recovery and Reinvestment Act of 2009.

**Background:** The "LED Indication Installation on Existing Traffic Signals Project" is an important part of the City's ongoing effort to reduce electrical energy use. This project will replace all remaining filament-type incandescent bulbs in traffic signals within Visalia with LED lights. Installing these new lights will have significant positive ecological and environmental impacts. The new LED lights will use about 83% less energy and require less maintenance. The City will receive an energy rebate from Southern California Edison Company once the project is completed. The final information regarding the rebate will be presented to City Council once the rebate process has been completed.

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 1

**Review:**

**Dept. Head** CY 1/6/11  
**(Initials & date required)**

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

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

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

On December 10, 2010, City staff opened four (4) bids submitted for the project. The bid results were as follows:

	Contractor	Total Bid
1.	Republic ITS, Inc. (Novato, CA)	\$ 141,353
2.	A-C Electric Company (Visalia, CA)	\$ 205,251
3.	Madco Electric, Inc. (Selma, CA)	\$ 210,590
4.	Hobb's Construction (Fresno, CA)	\$ 306,244

City staff contacted the references provided by Republic ITS, Inc. for similar projects and received very favorable responses. After comparing the bids, City staff feels that there are several reasons why the successful bid was significantly lower than the second place bid. Republic ITS, Inc. is a large company that regularly performs these types of signal upgrades. Also, their equipment includes built-in traffic control devices that significantly reduce their traffic control costs

The grant planning estimate, which was prepared by City Staff prior to actual design and inventory, was \$723,000. Once the grant for this amount was received, an actual inventory of existing traffic signal indications was conducted. The inventory showed that the number of existing signals actually needing replacement was significantly less than anticipated. The revised engineer's estimate construction was \$374,115. The EECBG guidelines will allow the remaining grant funding to be used for energy efficient lighting and HVAC equipment upgrades at City facilities. Since there is federal funding involved, these will be prevailing wage projects. The cost of City staff time for the project (\$25,000) will be funded out of the Gas Tax Fund.

**Prior Council/Board Actions:** None

**Committee/Commission Review and Actions:** None.

**Alternatives:** Do not award contract.

**Attachments:** None.

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the City Manager to execute an agreement with Republic ITS, Inc. awarding a construction contract in the amount of \$141,353.00 to complete the installation of the LED traffic signal indications throughout the City.

***Environmental Assessment Status***

**CEQA Review:**

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

**NEPA Review:**

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

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

Copies of this report have been provided to: n/a

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11q

**Agenda Item Wording:** Approve Resolution Number 2011-02 designating and authorizing signatories for all City banks.

**Deadline for Action:** None.

**Submitting Department:** Administration - Finance

**Contact Name and Phone Number:** Eric Frost 713-4474  
Liz Ybarra 713-4425

**Department Recommendation**

Staffing changes have made it necessary to update the designees authorized to act as signatories for all City banks. It is recommended that Council designate and authorize the following as signatories for all City accounts:

Steve Salomon	City Manager
Eric Frost	Administrative Services Director
Renee Nagel	Finance Manager
Melody Murch	Finance Manager

Further, that the following two individuals have counter-signature authority for checks under \$10,000 as long as one of the above signatures appears on the check:

Jason Montgomery	Financial Analyst
Elizabeth Hobbs	Management Analyst

Two signatures are required on all City checks. Staff recommends that the City Council designate City Manager Steve Salomon and Administrative Services Director Eric Frost as facsimile check signers on all City accounts.

**Control**

As a practice of internal control, all checks issued on City accounts require two signatures. As an additional control measure, designees authorized as check signers are not involved in the reconciliation of City bank accounts.

The City also incorporates the use of Citizens Electronic Processing Solutions (CEPS) as a control measure against fraud. CEPS is a program the City is participating in with the City's current bank, Citizens Business Bank (CBB). Under CEPS, any time a check is issued by the City, an electronic file must immediately be uploaded to CBB notifying them of the check

**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.

number, check date, payee, and dollar amount of each check issued. When checks are submitted to CBB for payment against City accounts, the checks submitted must match what is in the CEPS system. If they do not match exactly, an exception report is generated and emailed to the Senior Accounting Assistant in Accounts Payable and the Payroll Specialist in Payroll. The exception is reviewed to see if the check submitted is a valid City check and the reason for the exception. In most cases, the exception is generated because of a keying error by the bank. These exceptions must be corrected and approved before payment will be made.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:**

**Recommended Motion (and Alternative Motions if expected):** Approve Resolution No. 2011-\_\_\_\_ designating and authorizing signatories for all City banks.

***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:



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA AUTHORIZING ITS BANKS TO HONOR SIGNATURES OF THE CITY MANAGER STEVE SALOMON, ADMINISTRATIVE SERVICES DIRECTOR ERIC FROST, FINANCE MANAGER RENEE NAGEL, FINANCE MANAGER MELODY MURCH, FINANCIAL ANALYST JASON MONTGOMERY AND MANAGEMENT ANALYST ELIZABETH HOBBS ON BEHALF OF THE CITY OF VISALIA**

**WHEREAS**, the City is required to designate the authorized signatories for all City banks; and,

**WHEREAS**, the City Council has determined that it is in the best interests of the City to designate City Manager Steve Salomon and Administrative Services Director Eric Frost as facsimile check signers on all City accounts; and,

**WHEREAS**, the City Council has determined that City Manager Steve Salomon, Administrative Services Director Eric Frost, Finance Managers Renee Nagel and Melody Murch, and Financial Analyst Jason Montgomery Management Analyst Elizabeth Hobbs shall be authorized as alternate manual signers on all City accounts and that the issuing of a manual check on all City accounts will require at least one manual signature from either the City Manager, Administrative Services Director or one of the two Finance Managers in addition to any other designee's manual signature:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VISALIA:**

Section 1: That the City Council hereby declares that the two facsimile signatures of City Manager Steve Salomon and Administrative Services Director Eric Frost shall be honored on all City accounts of the City of Visalia.

Section 2: That the City Council hereby further declares that City Manager Steve Salomon, Administrative Services Director Eric Frost, Finance Managers Renee Nagel and Melody Murch, shall be authorized as alternate manual signers on all City accounts and that the issuing of a manual check.

Section 3: That the City Council hereby further declares that Jason Montgomery, Financial Analyst and Elizabeth Ybarra, Financial Analyst may counter sign a manual check for those in section 2 as long as the check is for less than \$10,000.

Section 4: That all City accounts shall either honor the two facsimile signatures of City Manager Steve Salomon and Administrative Services Director Eric Frost, or any manual signature of either the City Manager, Administrative Services Director or one of the two Finance Managers in addition to any other designee's manual signature.

Section 5: That this resolution shall take effect immediately upon adoption, and shall effectively rescind all resolutions in conflict herewith.

**PASSED AND ADOPTED:**

STATE OF CALIFORNIA    )  
COUNTY OF TULARE     )  ss.  
CITY OF VISALIA        )

## City of Visalia Agenda Item Transmittal

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11r

**Agenda Item Wording:** Authorization for the City Manager to sign the Task Agreement with the National Park Service (NPS) including a payment to the City of \$1,068,778. This is an agreement that is renewed annually and is needed to operate the 2011 season of the internal Sequoia Shuttle service.

**Deadline for Action:** January 18, 2011

**Submitting Department:** Administration – Transit Division

**Contact Name and Phone Number:**  
Monty Cox 713-4591

**Department Recommendation:** It is recommended that the City Council authorize the City Manager to sign the Task Agreement with the National Park Service including a payment to the City of \$1,068,778. This is an agreement that is renewed annually and is needed to operate the 2011 season of the internal Sequoia Shuttle service.

**Summary:** The attached agreement covers the operation of the Sequoia Shuttle within the Sequoia National Park by the City of Visalia on behalf of the NPS. The Transit Division provides this service and works with MV Transportation, the City's transit operations contractor, to operate it under a Cooperative Agreement with the NPS. Since 2007 the City has provided this seasonal operation including one route along the Generals Highway from Wuksachi Lodge to the Giant Forest Museum, and another route from the museum to Moro Rock and Crescent Meadow. In 2010 we added a route from Wuksachi Lodge to Dorst Creek campground and extended the season to September 20 at the request of the NPS. This year they have requested we add a morning hiker shuttle, holiday service to Wolverton, extra buses on Moro Rock road for weekends, extend the season to September 25<sup>th</sup> and add a two bus shuttle during 20 days of the winter season. The Winter service will operate during the holiday weekends, February 19-21 and May 7-8, as well as two weeks during spring break in April. The NPS is reimbursing the City of the entire cost of the internal shuttle service, which provides a great connection to the external shuttle the City operates from Visalia.

**Discussion:** The City of Visalia and the officials at the Sequoia Kings Canyon National Park (NPS) are prepared to operate the Sequoia Shuttle the same as during the previous four seasons. The City and NPS worked for several years to implement a shuttle service that included a Gateway shuttle from the Valley floor to the National Park, operated directly by the City of Visalia; and, an

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 1

**Review:**

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

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

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

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

internal park shuttle, operated by the City of Visalia through a cooperative agreement with the NPS.

In the process of working on the internal shuttle, it was determined that one of the obstacles to the internal shuttle was the cost; and that the City could provide the service at a significantly lower cost than if the NPS contracted separately for the service. This was made more evident when considering there could be some economies of scale and shared resources if the Gateway and internal shuttles were operated by a single agency. In 2004, Council authorized staff to work with the NPS on an agreement for the City to operate the internal shuttle, if it was found mutually beneficial; and, in March 2007, Council approved the Cooperative Agreement and Task Agreement between the City and NPS for this purpose. Subsequently Council has approved similar Task Agreements for the 2008, 2009, and 2010 shuttle seasons.

In 2007 the City and NPS entered a multi-year Cooperative Agreement that will remain in effect as long as the City and the NPS mutually agree to continue the service. Each year the National Parks will negotiate a new Task Agreement. The current Task Agreement, which includes specific details and expectations regarding the operation of the internal shuttle, and which may change from year to year, is effective *February 1, 2011*, and extends through October 15, 2011. The NPS will reimburse the City of Visalia in five equal monthly payments totaling the actual cost for the City to provide the service. In 2007 the seasonal amount was \$660,315 and in 2008 it totaled \$669,655. For the 2009 season it totaled \$ 689,407 and for the 2010 season it totaled \$933,403. It is estimated that approximately \$1,068,778 will be needed to operate the 2011 internal sequoia shuttle. This amount is significantly higher than previous years due to the NPS request for an additional extended route to the Wolverton parking area, an extended season to September 25 and winter holiday service on 21 days during the winter season. In addition to changes in the routes, the NPS requested some adjustments to the route schedules; however, the majority of the agreement remained the same as in 2007, 2008, 2009 and 2010.

Service to the Sequoia Kings Canyon National Park was implemented in May 2007. The service ran Memorial Day weekend through Labor Day weekend for all seasons and was extended in 2010 to September 20. Below are the ridership statistics for the past four seasons.

#### Ridership Summary

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
External Route	5,302	5,449	5,585	7,849
Internal Routes	<u>136,136</u>	<u>147,508</u>	<u>181,523</u>	<u>262,997</u>
Total	141,438	152,957	187,108	270,846

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

February, 2004 - Council approved a contract with Moore and Associates to develop an operating and marketing plan for a Gateway Shuttle.

December, 2004 – The Council was updated on discussions with the NPS and discussed the possibility of a jointly operated internal/Gateway Shuttle.

2004- Entered into a Memorandum of Understanding with the National Park Service.

May 16, 2005 - Council was updated on the progress regarding both the proposed shuttle within SEKI and the Gateway Shuttle, as well as the proposed fee increase that is needed to fund the internal shuttle.

March, 2007 – Council approved Cooperative and Task Agreements for the 2007 season.

May 19, 2008 – Council approved the Task Agreement for the 2008 season.

April 4, 2009 – Council approved the Task Agreement for the 2009 season.

April 19, 2010 - Council approved the Task Agreement for the 2010 season.

**Committee/Commission Review and Actions:** None

**Alternatives:** None

**Attachments:** Task Agreement

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move to authorize the City Manager to sign the Task Agreement with the National Park Service including a payment to the City of \$1,068,778. This is an agreement that is renewed annually and is to operate the 2011 season of the internal Sequoia Shuttle service.

***Financial Impact***

**Funding Source:**  
Account Number:

**Budget Recap:**

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

***Environmental Assessment Status***

**CEQA Review:**  
Required? No  
Review and Action: Prior:  
Require:

**NEPA Review:**  
Required? No  
Review and Action: Prior:  
Require:

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

Copies of this report have been provided to:

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 11s

**Agenda Item Wording:** Request authorization to award a construction contract and authorize the City Manager to execute an agreement for the "Underground Utility District No.19, Installation of Vaults and Conduits at Walnut Avenue and Mooney Boulevard (SR63)" to the low bidder Western Paving Company, Inc., in the amount of \$347,551.05 for (Project No. 1241-9270/ RFB 10-11-16).

**Deadline for Action:** none

**Submitting Department:** Community Development Department/  
Engineering Division

**Contact Name and Phone Number:**

Adam Ennis – 713-4323

Manuel Molina – 713-4491

Chris Young Assistant Community Dev. Director – 713 4392

**Department Recommendation:** Staff recommends that the City Council award a construction contract and authorize the City Manager to execute an agreement for the "Underground Utility District No.19, Installation of Vaults and Conduits at Walnut Avenue and Mooney Boulevard (SR63)" to the low bidder Western Paving Company, Inc., in the amount of \$347,551.05, for (Project No. 1241-9252/ RFB 10-11-16).

**Summary:** The City has a planned Capital Improvement Project for the widening and improvement of Walnut Avenue at Mooney Boulevard. To accommodate the widening and improvements, the existing overhead power and communication lines must be relocated. As part of that relocation, the power distribution and communication lines are set to be undergrounded through Underground Utility District No.19. The relocation of the overhead utilities will occur in two phases. First, the vaults and conduits for the undergrounding portion of the work must be installed. This is the portion of the project that staff is requesting award of in this council item. This phase would be complete by mid-March. Second, Southern California Edison will underground the distribution and communication lines and move the transmission lines to new steel poles, which should be completed about the end of April. By end of August, construction of the street improvements should be completed. This will be the second major intersection along Mooney Boulevard that the City of Visalia will be improving to accept the dual left turn lanes that were added by the Caltrans project. This project will increase the intersection capacity per the City's Circulation Element.

**Background:**

On September 08, 2010, the City of Visalia received one (1) bid for the "Underground Utility District No.19, Installation of Vaults and Conduits at Walnut Avenue and Mooney Boulevard (SR63) Project". Based on conversations with other potential bidders that do this type of work,

**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)

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there were many American Recovery and Reinvestment Act (ARRA) projects being constructed at the time of this bid which were keeping potential contractors very busy and unable to bid this project. At the time of bid opening, there was concern that if unknown issues were discovered during construction, that the roadway might not be open through the holiday season. The contractor agreed to extend their bid until after the holidays. Therefore, staff is now requesting that City Council award this portion of the project. The street construction portion of the project is currently out to bid.

The Engineer's Estimate for construction was \$400,000, and did not include project management, inspection, testing and staking. The result of the bid is shown below.

<u>BIDDER NAME</u>	<u>LOCATION</u>	<u>BID AMOUNT</u>
1. Western Paving Co.	Fresno	\$ 347,551.05

Western Paving Company, has recently constructed the Ashlan Avenue widening for the City of Clovis. The contractor has also completed various projects for the Clovis Unified School District which include an Elementary School Parking Lot and Playground Improvements. The contractor does not have previous project experience with the City of Visalia but City staff has verified Western Paving Company's references and has received favorable comments back regarding the company's performance.

Resolution 2008-61, authorizing the formation of Underground Utility District No. 19, was approved on December 15, 2008. The City has been working with Caltrans to improve the Walnut and Mooney intersection. As part of these improvements, the existing power poles need to be relocated to allow the streets to be widened. The poles in this area support two sets of Southern California Edison (SCE) wires; one set for distribution (low voltage) and one set for transmission (high voltage). Telephone and cable television wires are also mounted on these poles. This project will convert the existing distribution wires, telephone and cable television wires to an underground system. Due to the higher cost of undergrounding high voltage wires, the existing transmission wires will remain overhead but will be mounted on large metal poles. Staff has worked with Southern California Edison and determined that this is the most cost effective method to allow both Mooney and Walnut to be widened. Leaving all of the wires and cables overhead would require installing very large and tall metal poles because of the length of the span needed to cross Mooney. Burying all of the lines (except for the transmission lines) will substantially improve the aesthetics of the area.

**Prior Council/Board Actions:** Approved Mitigated Negative Declaration March 2002.

**Committee/Commission Review and Actions:**

**Alternatives:** Reject the bid and re-advertise

**Attachments:** Exhibit "A" - Project location sketch,



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

Move for City Council to award a Construction Contract and authorize the City Manager to execute an agreement for the Underground Utility District No.19, Installation of Vaults and Conduits at Walnut Avenue and Mooney Boulevard (SR63) Project to the low bidder, Western Paving Company, Inc., in the amount of \$ 347,551.05 Project No. 1241-9270/RFB 10-11-16)

***Environmental Assessment Status***

**CEQA Review:** MND approved March 2002

**NEPA Review:** Finding of No Significant Impact (FONSI), May 24, 2010

***Financial Impact***

**Funding Source:** Account Number: 1241-9270

Total Estimated cost:	\$347,551.05	New Revenue:	\$ N/A
Amount Budgeted:	\$1,900,000.00	Lost Revenue:	\$ N/A
New funding required:	\$0	New Personnel:	\$ N/A

Council Policy Change: Yes  No

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

Copies of this report have been provided to:

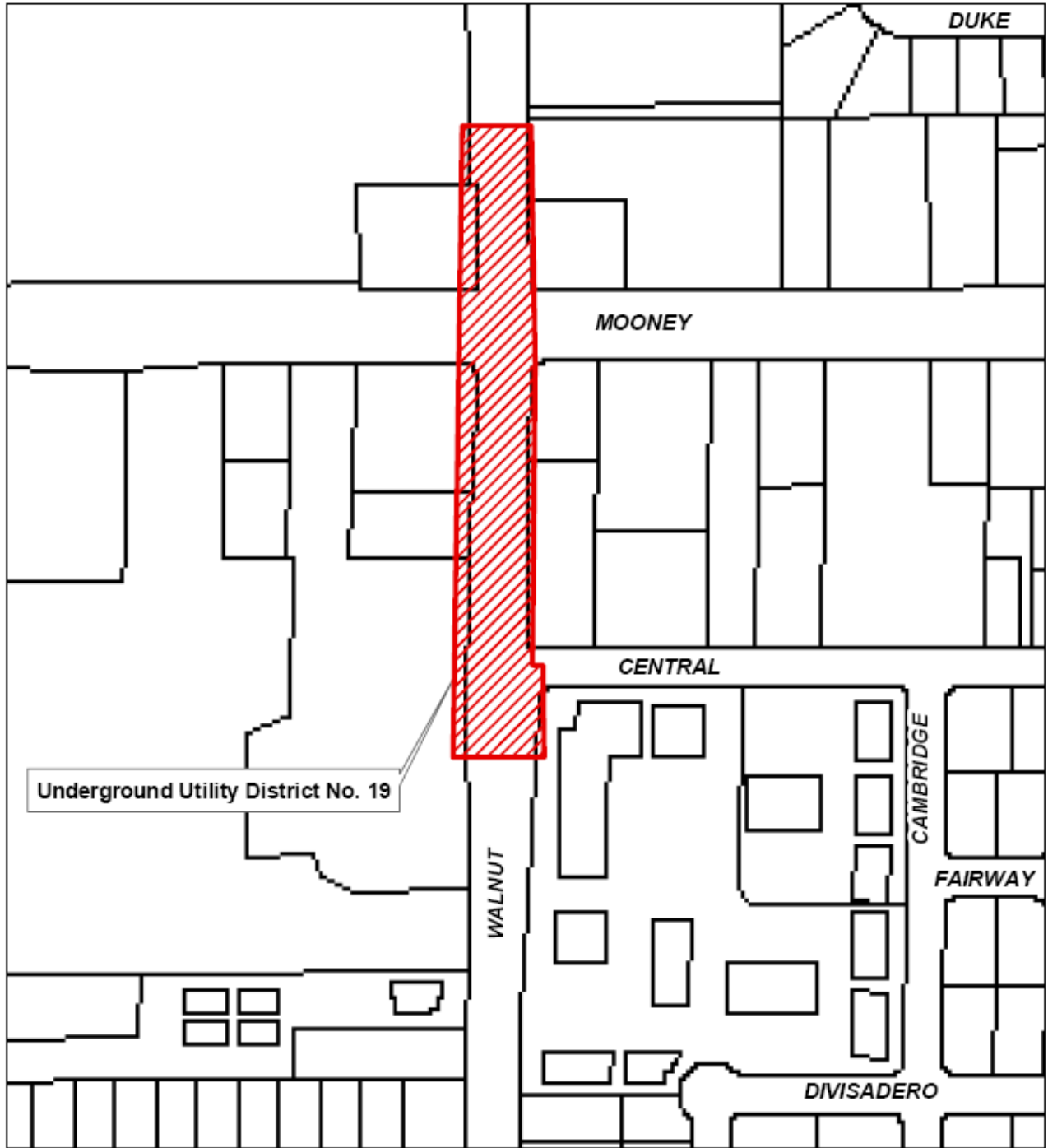


EXHIBIT "A"  
REVISED UNDERGROUND UTILITY DISTRICT  
SITE MAP

  
SCALE: 1"=200'

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2010

**Agenda Item Number (Assigned by City Clerk):** 12a

**Agenda Item Wording:** Authorize the City Manager and the Executive Director of the Community Redevelopment Agency (RDA) of the City of Visalia to enter into another Land Use Agreement between the Agency/City and Proteus, Inc. for a period of up to eleven months. RDA Resolution No. 2011-01

**Deadline for Action:** January 18, 2010

**Submitting Department:** Housing & Economic Development

**Contact Name and Phone Number:** Ricardo Noguera, Housing & Economic Development Director (4190), Nancy Renovato, Senior Administrative Analyst (4462)

**Department Recommendation:** Authorize the City Manager and the Executive Director of the Community Redevelopment Agency (RDA) of the City of Visalia to enter into another (previous license expired on November 1, 2010) Land Use Agreement between the Agency/City and Proteus, Inc. for a period of up to eleven (11) months; maintaining a 30-day revocation clause.

**Background:**

On December 7, 2009, the Redevelopment Agency of the City of Visalia adopted Resolution No. 2009-06 authorizing a "Land Use Agreement" between the RDA and Proteus, Inc. for the purpose of permitting a temporary Community Garden on RDA-owned land; 101 NW 5<sup>th</sup>; Parcel 094-053-023 and City owned land; 1105 N. Court; Parcel 094-053-024.

The land use agreement is a limited license that allows Proteus to utilize Agency/City property for the sole purpose of cultivating crops during the growing season. The previous land use agreement expired on November 1, 2010 and Proteus is requesting permission to enter into a new land use agreement for a period of up to eleven (11) months to continue gardening activities.

**Original Intent for Purchasing the Land**

The Agency has strategically assembled parcels within the Community Campus over the past several years in order to create an environment where residents from the north side of Visalia can obtain employment, recreational and social services within close proximity of their neighborhoods. Tax increment funds were used to acquire blighted properties and assemble to support the Community Campus. CSET; Proteus, Inc.; Boys Scouts; Ecumenical Charities and the Visalia Police Department (a new substation) have all participated in developing and rehabilitating facilities in the Community Campus.

**For action by:**

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

**For placement on which agenda:**

Work Session  
 Closed Session

**Regular Session:**

Consent Calendar  
 Regular Item  
 Public Hearing

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

**Review:**

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

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

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

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

The Agency/City have also acquired properties along NW 5<sup>th</sup> Street and demolished some substandard structures. The intent here is to eliminate blight and expand the Community Campus in the future as market conditions improve. Until these plans materialize, staff recommends that the Agency/City consider a new Land Use Agreement with Proteus for the purpose of continuing a public community garden administered by Proteus, Inc.

Proteus has demonstrated the ability to operate the community gardening project with great success. Staff believes the project is a benefit to the surrounding neighborhood and recommends that the Agency /City permit another land use agreement for a term not to exceed eleven (11) months with Proteus continuing responsibility to maintain insurance and supply the necessary water to support the gardening efforts. Additionally, the Agency/City will continue to reserve the right to a 30-day revocation of the agreement in the event there are opportunities to redevelop the aforementioned parcels to support the development of community facilities on the site.

If the license is approved, Proteus will continue to use gardening as a technique to improve community relations in the Oval Park Community and beyond to provide a quality food source and cost savings for low-income families in the surrounding neighborhoods.

Agency staff has prepared a new agreement for a term of no more than eleven months, terminable at will, with a 30-day revocation clause, which may be extended upon the mutual written consent of the parties. This approach is recommended so that the Agency/City can easily transition its properties to their ultimate intended use of physical development of community facilities.

**Prior Council/Board Actions:** On December 7, 2009, Council adopted Resolution 2009-06 authorizing a “Land Use Agreement” between the RDA and Proteus for the purpose of permitting a Community Garden.

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:**

Land Use Agreement  
RDA Resolution No. 2011-01  
Aerial of Existing Proposed New Garden

**Recommended Motion (and Alternative Motions if expected):** Authorize the City Manager and the Executive Director of the Community Redevelopment Agency (RDA) of the City of Visalia to enter into another Land Use Agreement between the Agency/City and Proteus, Inc. for a period of up to eleven months. RDA Resolution No. 2011-01

RDA RESOLUTION NO. 2011-01  
A JOINT RESOLUTION OF THE CITY OF VISALIA  
AND THE  
COMMUNITY REDEVELOPMENT AGENCY  
OF THE CITY OF VISALIA  
APPROVING AND AUTHORIZING THE EXECUTION OF A  
LAND USE AGREEMENT  
BETWEEN THE CITY/AGENCY AND PROTEUS, INC.

**WHEREAS**, Agency owns that property commonly identified as 101 NW 5<sup>th</sup> (APN 094-053-023) and City owns property 1101 N. Court (APN 094-053-024), collectively referred to as the “Property”, and more fully described in Exhibit “A”, attached hereto and incorporated herein by this reference; and

**WHEREAS**, Proteus has previously organized community gardening efforts to allow residents of the City of Visalia to provide food for themselves and their families, and to reduce blight and negative impacts from vacant or otherwise unused property in the Agency’s project area; and

**WHEREAS**, the Property was acquired by the Agency for future uses consistent with those identified in Agency’s redevelopment plan for the Property, but shall remain vacant for an undetermined period until such uses can be implemented; and

**WHEREAS**, Agency desires to support the community gardening activities organized by Proteus by granting to Proteus a limited land use license which will allow Proteus to organize and oversee responsibility for community gardening activities on the Property,.

**NOW, THEREFORE**, in consideration of the above-referenced facts, the mutual covenants of Agency and Proteus contained in this Agreement, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Let it be RESOLVED, that the Community Redevelopment Agency and Proteus agree as follows:

1. Authorize the Executive Director and City Manager to enter into the Land use Agreement with Proteus, Inc. of a form substantially similar to the Land use Agreement attached hereto as Exhibit "A".(see attached agreement)

PASSED AND ADOPTED by the City Council of the City of Visalia, Tulare County, State of California, this \_\_\_ day of \_\_\_\_\_ 2011, by the following vote:

AYES: CITY COUNCIL/AGENCY MEMBERS:

NOES: CITY COUNCIL/AGENCY MEMBERS:

ABSENT: CITY COUNCIL/AGENCY MEMBERS:

ABSTAIN: CITY COUNCIL/AGENCY MEMBERS:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

I, the undersigned City Clerk, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Visalia, California, at a regular meeting thereof held on the \_\_\_ day of \_\_\_\_\_ 2010, is a true and correct copy. The original of which is on file in my office.

\_\_\_\_\_  
City Clerk

## **LAND USE AGREEMENT**

This Agreement is entered into and effective this 18<sup>th</sup> day of January, 2011, by and between the City of Visalia (“City”) and the Community Redevelopment Agency of the City of Visalia (“Agency”), organized and existing under the laws of the State of California ( hereinafter collectively referred to as “Visalia”) and Proteus, Inc., a 501(c)(3) non-profit entity (“Proteus”), hereinafter collectively referred to as the “Parties.”

### **RECITALS**

**WHEREAS**, Agency owns that property commonly identified as 101 NW 5<sup>th</sup> (APN 094-053-023) and City owns that property commonly identified as 1101 N. Court (APN 094-053-024), collectively referred to as the “Property”, and more fully described in Exhibit “A”, attached hereto and incorporated herein by this reference; and

**WHEREAS**, Proteus has previously organized community gardening efforts to allow residents of the City of Visalia to provide food for themselves and their families, and to reduce blight and negative impacts from vacant or otherwise unused property in the Agency’s project area; and

**WHEREAS**, the Property was acquired by Visalia for future uses consistent with those identified in Agency’s redevelopment plan for the Property, but shall remain vacant for an undetermined period until such uses can be implemented; and

**WHEREAS**, Visalia desires to support the community gardening activities organized by Proteus by granting to Proteus a limited land use license which will allow Proteus to organize and oversee responsibility for community gardening activities on the Property.

**NOW, THEREFORE**, in consideration of the above-referenced facts, the mutual covenants of Visalia and Proteus contained in this Agreement, and for other valuable

consideration, the receipt and sufficiency of which are hereby acknowledged, Visalia and Proteus agree as follows:

1. Use of Visalia Property by Proteus. Commencing on the effective date above, Visalia grants to Proteus a license to enter the Property for purpose of organizing and overseeing responsibility for the use of community gardening activities. The license is granted subject to all conditions stated herein and will expire on December 18, 2011. If Visalia determines it is necessary to terminate access to the Property for any reason whatsoever, Visalia shall provide written notice to Proteus, and Proteus shall immediately cease all community gardening activities, and within thirty (30) days of receipt of said notice of termination, Proteus shall clean, repair and return the Property to its condition at the time of entry into this Agreement and thereafter relinquish any right of access or use of the Property. Proteus shall not be entitled to any relocation benefits or reimbursement by Visalia for any expenses associated with its limited use of the property.

2. Scope of Proteus Activities. The following activities, as conditioned, are allowed to occur on the Property by Proteus:

a. Organize and oversee responsibility for coordinating community gardening activities by any and all public participants on the Property.

b. Community gardening activities shall be limited to the cultivation of fruits, vegetables and ornamental shrubs or flowers (hereinafter "Crops"). Crops shall not include fruit trees. Crops shall not include marijuana plants.

3. Proteus Rights and Responsibilities. Proteus, or its subcontractors and agents, shall:

a. Ensure that there shall be no discrimination against or segregation of, any person, or group of persons on account of race, color, creed, religion, sex, sexual preference, source of income, marital status, national origin, or



ancestry, in the use, occupancy, tenure or enjoyment of the Property, nor shall Proteus or any person claiming rights to the Property under or through Proteus, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of the Property.

b. Provide all necessary materials and resources for the community gardening activities, including water.

c. Should Proteus utilize herbicides, pesticides and fertilizer necessary for the community gardening which are not Hazardous Materials, as identified herein, such uses shall be consistent with any local, state or federal standards prevailing for such materials with respect the disclosure, storage, use, removal and disposal of such materials.

d. Provide any security measures Proteus deems necessary for the community gardening activities. Installation of any structures or fixtures for security purposes shall be at the sole expense of Proteus, and shall require the written consent of the Visalia.

4. Indemnification and Release of Liability. As a material part of the consideration for this Agreement, Proteus hereby agrees to indemnify, defend and hold Visalia and the Property harmless from and against any and all loss, costs, including attorneys fees, damage, expense, claim or liability including personal injury, loss of life and/or property damage that might or could result from the acts or omissions of Proteus, or its contractors, agents or invitees, in overseeing, organizing or participating in the community gardening activities on the Property.

a. Proteus shall take all necessary precautions to prevent the release into the environment of any Hazardous Materials in conjunction with its community gardening activities, defined below in subsection (b), on, in, or to the Property. Such precautions shall include compliance with all governmental requirements with respect

to Hazardous Materials. Should the community gardening activities result in the release of Hazardous Materials in, on or to the Property, Proteus shall be responsible for remediation of those Hazardous Materials in accordance with all Governmental Requirements. Proteus also agrees to indemnify, defend and hold Visalia and its officers, employees, volunteers, agents and representatives harmless from and against any and all claims, resulting from, arising out of, or based upon (i) the presence, release, use, generation, discharge, storage or disposal of any Hazardous Materials on, under, in or about, or the transportation of any such Hazardous Materials to or from, the Site, or (ii) the violation, or alleged violation, of any statute, ordinance, order, rule, regulation, permit, judgment or license relating to the use, generation, release, discharge, storage, disposal or transportation of Hazardous Materials on, under, in or about, to or from, the Site, caused by Proteus or any of Proteus's predecessors in interest. This indemnity shall include any damage, liability, fine, penalty, parallel indemnity, cost or expense arising from or out of any claim, action, suit or proceeding for bodily injury (including sickness, disease or death), tangible or intangible property damage, compensation for lost wages, business income, profits or other economic or consequential loss, damage to the natural resource or the environment, nuisance, contamination, leak, spill, release or other adverse effects on the environment.

b. "Hazardous Materials" means any substance, material, or waste which is or becomes regulated by any local governmental authority, the State of California, or the United States Government, including, but not limited to, any material or substance which is: (i) defined as a "hazardous waste," "extremely hazardous waste," or "restricted hazardous waste" under Sections 25115, 25117 or 25122.7, or listed pursuant to Section 25140 of the California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control Law); (ii) defined as a "hazardous substance" under Section 25316 of the California Health and Safety Code, Division 20,

Chapter 6.8 (Carpenter-Presley-Tanner Hazardous Substance Account Act); (iii) defined as a "hazardous material," "hazardous substance," or "hazardous waste" under Section 25501 of the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Materials Release Response Plans and Inventory); (iv) defined as a "hazardous substance" under Section 25281 of the California Health and Safety Code, Division 20, Chapter 6.7 (Underground Storage of Hazardous Substances); (v) petroleum; (vi) friable asbestos; (vii) polychlorinated biphenyls; (viii) listed under Article 9 or defined as "hazardous" or "extremely hazardous" pursuant to Article 11 of Title 22 of the California Administrative Code, Division 4, Chapter 20; (ix) designated as "hazardous substances" pursuant to Section 311 of the Clean Water Act (33 U.S.C. §1317); (x) defined as a "hazardous waste" pursuant to Section 1004 of the Resource Conservation and Recovery Act, 42 U.S.C. §6901, et seq. (42 U.S.C. §6903); or (xi) defined as "hazardous substances" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9601, et seq., as the foregoing statutes and regulations now exist or may hereafter be amended.

5. Liens. Proteus shall keep the Property free from any and all mechanics or similar liens or charges resulting from the community gardening activities on the Property.

6. Assignment. Proteus shall not encumber, assign or otherwise transfer its rights under or interest in this Agreement. Any unauthorized assignment, occupancy, or use of the Property shall be void and shall constitute a default under the terms of this Agreement. Proteus specifically understands and agrees that Proteus shall have no right to assign its interest in this Agreement, and OWNER shall have no obligation to approve any such assignment, if Proteus attempts an assignment while in default.

7. Default by Proteus. The occurrence of any of the following events by Proteus and its invitees shall constitute a default by Proteus under the terms of this

Agreement:

a. Failure to abate a nuisance on the Property, or to discontinue or prevent any activity by Proteus, or its subcontractors, agents or invitees which creates harm or a risk of harm to persons or property; or

b. Failure to perform any other provision of this Agreement if the failure to perform is not cured within thirty (30) days after written notice has been served upon Proteus by Visalia.

c. Should Proteus default in the performance of any of the covenants and conditions contained in this agreement, Visalia may, in addition to the remedy specified in the preceding paragraph, reenter and regain possession of the premises in the manner provided by the laws of the State of California then in effect.

8. Insurance. Proteus shall take out and maintain throughout the term of this Agreement, a commercial general liability policy in the amount of One Million Dollars (\$1,000,000.00) combined single limit, or such other policy limit as Visalia may approve at its discretion, including contractual liability, as shall protect Proteus and Visalia from claims for such damages. Such policy or policies shall be written on an occurrence form. Proteus shall furnish or cause to be furnished to Visalia evidence satisfactory to Visalia that Proteus and any contractor with whom it has contracted for the performance of work on the Property or otherwise pursuant to this Agreement carries workers' compensation insurance as required by law. Companies writing the insurance required hereunder shall be licensed to do business in the State of California. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII. Proteus shall furnish a notarized certificate of insurance countersigned by an authorized agent of the insurance carrier on a form reasonably approved by Visalia setting forth the general provisions of the insurance coverage. This countersigned certificate shall name Visalia and its respective officers, agents,

employees, volunteers and representatives as additionally insured parties under the policy, and the certificate shall be accompanied by a duly executed endorsement evidencing such additional insured status. The certificate and endorsement by the insurance carrier shall contain a statement of obligation on the part of the carrier to notify Visalia of any material change, cancellation or termination of the coverage at least thirty (30) days in advance of the effective date of any such material change, cancellation or termination. Coverage provided hereunder by Proteus shall be primary insurance and shall not be contributing with any insurance, self-insurance or joint self-insurance maintained by the Proteus, and the policy shall contain such an endorsement. The insurance policy or the endorsement shall contain a waiver of subrogation for the benefit of Visalia.

9. Notices. All notices under this Agreement shall be effective upon personal delivery to Visalia or Proteus, as the case may be, or three (3) business days after deposit in the United States mail, registered or certified, postage fully prepaid and addressed to the respective parties as follows:

Visalia:	City Manager City of Visalia 425 East Oak, Suite 301 Visalia, California 93291	Proteus:	Proteus, Inc. Attn: _____ _____ Visalia, California 93291
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or such other address as the Parties may from time to time designate in writing. As a matter of convenience, however, communication between Visalia and Proteus shall, to the extent feasible, be conducted orally by telephone or in person, which such communications to be confirmed and made effective in writing as set forth above provided no such oral notice or communication shall be effective unless so confirmed in writing.

10. Entire Agreement. This Agreement and items incorporated herein contain all of the agreements of the Parties hereto with respect to the matters contained herein, and no prior agreement or understanding pertaining to any such matter shall be effective for any purpose. No provisions hereof may be amended or modified in any manner whatsoever except by an agreement in writing signed by duly authorized representatives of each of the Parties hereto.

11. Successors. The terms, covenants and conditions hereof shall be binding upon and shall inure to the benefit of the heirs, executors, administrators and assigns of the respective Parties hereto.

12. Further Action. The Parties agree to perform all further acts, and to execute, acknowledge, and deliver any documents that may be reasonably necessary, appropriate or desirable to carry out the purposes of this Agreement.

13. Waiver. A waiver of any breach of this Agreement by any Party shall not constitute a continuing waiver or a waiver of any subsequent breach of the same or any other provision of this Agreement.

14. Choice of Law - Venue. This Agreement shall be governed by the laws of the State of California and any questions arising hereunder shall be construed or determined according to such law. Venue for the legal action arising from or in connection with this Agreement shall be in Tulare County, California.

15. Construction. This Agreement is the product of negotiation and compromise on the part of each party and the parties agree, notwithstanding Civil Code Section 1654, that in the event of uncertainty the language will not be construed against the party causing the uncertainty to exist.

16. Attorneys Fees, Costs, and Expenses. If any party hereto institutes any arbitration or judicial or administrative action or proceeding to enforce any provision of this Agreement, or alleging any breach of same, or seeking damages or remedies,

the losing party(ies) shall pay to the prevailing party(ies) all costs and expenses, including reasonable attorneys fees expended or incurred by the prevailing party(ies) in connection therewith, whether incurred at the trial or appellate level, in an arbitration proceeding or otherwise, and including any of the foregoing incurred in connection with any bankruptcy proceeding relating to the OWNER, assignee, beneficiary or any other person or entity.

COMMUNITY REDEVELOPMENT AGENCY      PROTEUS, INC.  
OF THE CITY OF VISALIA

By: \_\_\_\_\_  
Executive Director                      (Date)

By: \_\_\_\_\_  
CEO    (Date)

CITY OF VISALIA

By: \_\_\_\_\_  
City Manager                              (Date)

**EXHIBIT A**

Legal Descriptions for the Property

**101 NW 5<sup>th</sup> Avenue** (APN 94-053-023), legally described as:

Lot 7 in Block 109 of Aughinbaugh's Addition in the City of Visalia, County of Tulare, STATE of California, as per Map recorded in Book 3, Page 48 of Maps, Tulare County Records.

**1101 N. Court Street** (APN 094-053-024), legally described as:

Those portions of Lots 8 and 9 in Block 109 of Aughinbaugh's Addition to the City of Visalia, County of Tulare, State of California, as per licensed survey recorded in Book 6, Page 95 of licensed survey recorded in Book 6, Page 95 of licensed surveys, in the offices of the County Recorder of Tulare County, described as follows: Beginning at the northwesterly corner of said Lot 8; thence northeasterly along the northerly line of said Lot 8, 131.85 feet to the southerly line of said Northwest Fifth Avenue, 27.09 feet to the west line of Court Street, 82.23 feet to the northeast corner of the land conveyed by O.C. Gilson and wife to C.B. Lynd, by deed dated June 6, 1929, recorded in the office of the County Recorder of Tulare westerly along the northerly line of the land so conveyed to said C.B. Lynd to a point on the westerly line of said Lot 8, which point is 12.7 feet southeasterly from the point of beginning; thence northwesterly along the westerly line of said Lot 8, 12.7 feet to the point of beginning.



**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 13

**Agenda Item Wording:** Authorization to:

- 1) Amend the City's Rates and Fees for fiscal year 2010-11 & 11-12, with proposed new fees and adjustments to the current fee structure for Animal Licenses and Animal Control Permit fees; and,
- 2) Implement an Amnesty program that forgives all late fees for new and renewing licensing applicants until July 1, 2011.

**Deadline for Action:**

**Submitting Department:** Administration – Animal Control

**Contact Name and Phone Number:** Mario Cifuentez, Animal Control Liaison - 713-4480  
Tami Crawford, Exec. Director Valley Oak SPCA, 713-4681

**Department Recommendation:**

Staff recommends that City Council:

- 1) Conduct a Public Hearing to receive public testimony on adjusting the attached Rates and Fees related to Animal Control;
- 2) Direct staff to amend the City's Rates and Fee document for the proposed fees beginning February 1, 2011; and
- 3) Implement an Amnesty program which forgives all late fees and license penalties until July 1, 2011.

The proposed rate and fee adjustments were reviewed by and recommended for Council adoption by the Citizen's Advisory Committee on January 12, 2011. The proposed adjustments to the Animal Control Rates and Fees include increasing several of the fees for Unaltered Animals, and restructuring the Breeder and Kennel Permit Fees. Additionally, staff recommends implementing discounts for multi-year licenses and approving an Amnesty program that forgives all late fees for new and renewing licensing applicants until July 1, 2011. All of the fees, listed below, will hereafter be included in the City's Rates and Fee review process on an annual basis.

**For action by:**

- City Council  
 Redev. Agency Bd.  
 VPFA

**For placement on which agenda:**

- Work Session  
 Closed Session

**Regular Session:**

- Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 30

**Review:**

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

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

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

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

**Valley Oak SPCA Rates & fees recommendations for City of Visalia**

	Current	Effective 2/1/2011	Notes
<b>City of Visalia License Fees</b>			
Unaltered Dog - 1 Year	\$39.10	\$75.00	No license can be issued for a time period longer than the rabies certificate is valid.
Unaltered Dog - 2 Year	No Fee	\$125.00	
Unaltered Dog - 3 Year	No Fee	\$165.00	
Altered Dog - 1 Year	\$16.60	\$18.00	
Altered Dog - 2 Year	No Fee	\$26.00	
Altered Dog - 3 Year	No Fee	\$39.00	
Unaltered Cat - 1 Year	\$16.60	\$22.00	
Unaltered Cat - 2 Year	No Fee	\$34.00	
Unaltered Cat - 3 Year	No Fee	\$51.00	
Altered Cat - 1 Year	\$7.75	\$8.00	
Altered Cat - 2 Year	No Fee	\$11.00	
Altered Cat - 3 Year	No Fee	\$18.00	
Late Penalty	\$22.15	\$25.00	
<b>Kennel Permit</b>			
Maximum of 10 animals - all altered	\$25.00	\$75.00	Following the Amnesty Program, each animal must be individually licensed in addition to the actual kennel permit
<b>Breeders Permit</b>			
Has at least one unaltered animal	No Fee	\$250.00	Allowed up to two litters per year
<b>Animal Control Fees</b>			
Vicious Hearing	No Fee	\$475.00	
Owner request pick up	\$50.00	\$50.00	
Emergency After Hours pick up	\$75.00	\$75.00	
Chemical Immobilization	\$50.00	\$50.00	
Lab Services (Rabies)	\$100.00	\$100.00	
Excessive Unfounded Complaints	\$50.00	\$50.00	
<b>Shelter Impound</b>			
1st Impound	\$30.00	\$30.00	
2nd Impound	\$50.00	\$50.00	
3rd Impound	\$70.00	\$70.00	
<b>Daily Boarding Fee</b>	\$10.00	\$10.00	
<b>Disposal Fee</b>	\$25.00	\$25.00	
<b>Quarantine Fee</b>	\$100.00	\$100.00	

**Summary/background:**

The Valley Oak SPCA was formed in 1992 as a non-profit to promote the humane treatment of animals, educate the community on responsible pet care, reduce pet overpopulation through an aggressive spay/neuter program, and celebrate the human/animal bond. The City of Visalia began contracting with the Valley Oak SPCA for animal control services in 1993. Prior to that time, the City of Visalia directly provided animal control services, but found contracting the service was more economically beneficial. In addition, it links the animal control function with an organization that is passionate about animal health and welfare, and that understands that animal over population leads to poor conditions for humans and animals in a community. As the

City's contractor, the SPCA is able to encourage greater numbers of animals to be spayed and neutered.

The relationship between the City of Visalia and Valley Oak SPCA is a very unique situation and different than other relationships with non-profits in that Valley Oak SPCA provides a variety of health and safety services that the City of Visalia is legally obligated to provide per the California Penal Code, the City of Visalia Municipal Code, the California Health and Safety Code and the California Food and Agriculture Code. As the contractor for the City of Visalia, the VOSPCA is tasked with animal control services, overseeing the animal licensing program, and operating the animal shelter. Included in these is a responsibility for human safety as it relates to animals, animal health and welfare, educating the public about responsible companion animal ownership, aggressively investigating vicious animal and animal cruelty cases, reuniting lost animals with their owners, and humanely euthanizing unwanted animals in our community.

In August 2009, in an effort to better track the licensing of animals, the City of Visalia purchased and installed new animal licensing software. The new software, Shelter Buddy, has provided the VOSPCA with the tool needed to capture and more accurately track all incoming and outgoing animals as well as better maintain the licensing program. In calendar year 2010, the VOSPCA licensed 8,448 dogs and 1,181 cats. With the means to manage the license program in place, the VOSPCA has adopted a goal of increasing the number of licenses issued to new applicants by a minimum of 10% of the total animals licensed in any year.

In lieu of having a way to accurately determine how many animals reside in the City of Visalia, staff has researched data relating to average pet per household and was able to come up with a reasonable estimation for the number of animals in Visalia. Using information provided by the American Veterinary Medical Association, it is estimated that approximately 37% of American households have dogs and 32% have cats. Of those figures, the average household has 1.7 dogs and 2.2 cats. Based on those estimates and the number of households in Visalia, it can be estimated that the City of Visalia has approximately 31,000 dogs and 35,000 cats. By doing the research on this subject and determining the potential licensing pool, the VOSPCA is better able to establish reasonable goals for capturing the license revenue and set annual benchmarks for improving the number of licensed animals in the City of Visalia, which should lead to more animals being reunited with their owners. More animals returning to their owners is not only a happier ending, but leads to reduced animal care and euthanasia costs for both the City and the VOSPCA.

### **Animal License Fees**

The cost of providing Animal Control for the community is approximately \$550,000 per year. VOSPCA budgeted \$170,000 in licensing revenue for FY 2010/11. The remaining \$380,000 represents the contract amount for FY 2010/11, paid by the City to the VOSPCA. The anticipated licensing revenue is based on the current rates and fees structure and may increase as a result of the proposed fee adjustments and increased issuances. It's important to note that the licensing fees for altered animals are remaining the same or increasing only slightly for rounding purposes. The ultimate goal is to keep fees affordable, increase the percentage of altered animals, capture a greater percentage of the animals for licensing, and provide a revenue stream that will not only fully fund the animal control program, but also provide additional revenue for spay/neuter and humane education programs.

Given the economic times, staff was forced to look at how programs have historically been managed and determine if there were any improvements that could be made. Cities are

mandated by the state to provide animal control in their communities, but the communities have the ability to set rates and fees to recoup costs. Ultimately, between greater enforcement and appropriately structured fees, animal licenses could cover most or all of the costs associated with animal ownership in the City.

While recouping costs is certainly part of the equation, having more licensed animals leads to better animal health and a better lost animal return rate. Considering the low number of licensed animals in Visalia, compared to the potential number of animals in households, the VOSPCA recommends that Council authorize an Amnesty program until July 1, 2011, which would allow pet owners to secure the appropriate license for their animals without paying any late fee penalties. Ultimately, the goal is to get all of the animals licensed and insure the health and welfare of the animals, not merely issue a license.

### Proposed License Fees

<b>City of Visalia License Fees</b>	<b>Current</b>	<b>Proposed</b>	<b>Notes</b>
Unaltered Dog - 1 Year	\$40.40	\$75.00	No license can be issued for a time period longer than the rabies certificate is valid.
Unaltered Dog - 2 Year	No Fee	\$125.00	
Unaltered Dog - 3 Year	No Fee	\$165.00	
Altered Dog - 1 Year	\$17.15	\$18.00	
Altered Dog - 2 Year	No Fee	\$26.00	
Altered Dog - 3 Year	No Fee	\$39.00	
Unaltered Cat - 1 Year	\$17.15	\$22.00	
Unaltered Cat - 2 Year	No Fee	\$34.00	
Unaltered Cat - 3 Year	No Fee	\$51.00	
Altered Cat - 1 Year	\$8.00	\$8.00	
Altered Cat - 2 Year	No Fee	\$11.00	
Altered Cat - 3 Year	No Fee	\$18.00	
Late/No License Penalty	\$22.85	\$25.00	

The proposed license fees are a departure from the basic fees offered for the last decade. Based on a growing trend, the VOSPCA recommends implementing a Multi-year license, which can be purchased for 1, 2 or 3 years with corresponding discounts. Not only will this provide a discount for the animal owner, but it will allow the license renewal date to correspond to the rabies vaccination, which is good for 3 years. Additionally, longer licensing terms will result in lower administration costs for the licensing program, which will result in savings for the VOSPCA and, ultimately, the City.

Both staff and the VOSPCA believe that the proposed rates are fair and reward responsible pet owners by keeping their fees down, while increasing the cost of owning an unaltered animal, which ultimately increases the odds of an unwanted litter. The general thinking among the veterinary community and humane organizations is that it should be more cost effective for any owner to spay/neuter and license their animal than to just license the animal. If not, an owner has no incentive to alter their animals and help prevent unwanted litters.

Currently, the VOSPCA euthanizes approximately 400-500 animals per month. Many of them are from unwanted litters and are found abandoned, but are too young to foster or adopt out.

The overpopulation of animals is such a large problem that it needs to be addressed through several methods, not just increased costs for licensing. Additional methods used to address the problem will include but are not limited to the following:

- Enforcement of Kennel and Breeder permits
- Increased licensing fees for unaltered animals
- Monthly Spay/Neuter and low-cost shot clinics
- Increasing the number of volunteers in the Foster Program
- Increase education efforts on the need to spay/neuter animals

### **Animal Permit Fees**

The Kennel and Breeder permit programs were established as part of the Animal Control ordinance for the City of Visalia. Per the City Ordinance, no residence is allowed more than 4 animals without a kennel permit. An approved kennel permit, issued by the VOSPCA, allows an animal owner to have more than 4 animals, but in no instance, may they have more than 10. A kennel permit is only issued after the required fee is paid and it is verified that all animals are altered, vaccinated and licensed. Additionally, the immediate neighbors of the applicant must be interviewed by the Animal Control Officers, and must consent to the issuance of a kennel permit to the Applicant. All animals must be licensed and altered in order for the resident to qualify for a kennel permit.

The current price of a Kennel Permit is \$25.00. Research indicated that the fee has never been adjusted. The recommended adjustment sets the fee at \$75 per year and is set at an appropriate level to cover the staff costs of verifying the required vaccinations, inspecting the property and processing the application. All animals in the residence must have the appropriate licenses and therefore will pay an additional \$24-\$180 per year in license fees depending on the number of animals owned, and whether they are cats or dogs.

A Breeder Permit is issued through the same process as the Kennel Permit. The difference between a Kennel Permit and a Breeder Permit is that the Kennel Permit can only be issued if **all** animals are altered. If any of the animals are unaltered, the owner must secure a Breeder Permit.

The City Ordinance requires that any person breeding animals, regardless of whether they are sold or not, must have a Breeders Permit. However, there is no fee set for this permit. Considering the extreme overpopulation problem in our community, the only responsible reason that someone would have for not spaying/neutering their animal would be that they intend to sell the puppies/kittens. Given the additional requirements of the City ordinance for Animal Control to track the disposition of all litters, the proposed fee of \$250 will cover the cost of staff time needed to issue and follow-up on all breeder-related matters.

### **Proposed Animal Permit Fees**

<b>Current</b>	<b>Proposed</b>
----------------	-----------------

<b>Kennel Permit</b>			Each animal must be individually licensed in addition to the actual kennel permit
Maximum of 10 animals - all altered	\$25.00	\$75.00	
<b>Breeders Permit</b>			
Has at least one unaltered animal	No Fee	\$250.00	Allowed two litters per year

As City staff and the VOSPCA board reviewed all of the rates and fees that relate to Animal Control, their goal was to adjust the various fees to a more appropriate level, but being mindful not to penalize the responsible pet owners that currently license their animals and take the humane step to spay/neuter them. The ultimate goal is to raise the public awareness of the impacts of overpopulation and educate the public on the benefits of spaying and neutering.

**Fees related to Animal Control Functions**

The remaining fees referenced in the City Ordinance are related to other animal control functions associated with picking up strays and owner relinquished animals, and holding animals at the shelter. The VOSPCA believes that, with the exception of the Vicious Hearing fee, the Proposed Animal Handling fees are appropriate for now and do not need to be adjusted at this time. These fees will also be looked at on an annual basis and reviewed for appropriateness.

The Vicious Hearing fee is a new fee that staff is recommending Council approve. Per City ordinance, any owner or victim of a suspected vicious dog has the right to a Vicious Animal Hearing to determine if the animal is vicious. This fee will cover the City’s cost of the administrative officer and staff time for attending the hearings. The VOSPCA averages 1-2 hearings per month, and each hearing lasts for approximately 1 hour. Up until now, the City has been absorbing the cost of conducting these hearings. Once a fee is approved, per the ordinance, the owner of the animal will be responsible for the costs of the hearing if it is the decision of the officer that the animal is vicious. If a vicious animal hearing is set at the request of a third party (not the owner or Animal Control Officer) and the animal is deemed not vicious by the hearing officer, the party requesting the hearing will be responsible for the costs of the hearing. This provision will provide a deterrent to frivolous accusations which occasionally occurs between neighbors.

**Proposed Animal Handling Fees**

	Current	Proposed
<b>Animal Control Fees</b>		
Vicious Hearing	No Fee	\$475.00
Owner request pick up	\$50.00	\$50.00
Emergency After Hours pick up	\$75.00	\$75.00
Chemical Immobilization	\$50.00	\$50.00
Lab Services (Rabies)	\$100.00	\$100.00
Excessive Unfounded Complaints	\$50.00	\$50.00
<b>Shelter Impound</b>		
1st Impound	\$30.00	\$30.00
2nd Impound	\$50.00	\$50.00
3rd Impound	\$70.00	\$70.00
<b>Daily Boarding Fee</b>	\$10.00	\$10.00
<b>Disposal Fee</b>	\$25.00	\$25.00
<b>Quarantine Fee</b>	\$100.00	\$100.00

The collective rates and fees, as proposed and recommended by the VOSPCA, have been developed based on industry and comparable City averages, taking into account that the current fees have only been adjusted twice in the last 5 years and will now be reviewed on a regular basis as part of the City's annual rates and fees review. Staff believes that this fee structure provides the City with the means to recoup more of the costs of animal control in the community in a fair and reasonable manner.

**Prior Council/Board Actions:**

November 20, 2006 – City Council approved increases to several License fees and established a Kennel Permit fee. Since that time, the license fees have been adjusted twice, per the CPI figure used in the annual Rate and Fee review process.

**Committee/Commission Review and Actions:**

Valley Oak SPCA Board of Directors recommends that the attached rates and fees be adjusted.

**Alternatives:**

Do not authorize the proposed fee adjustments and direct staff to look at other methods to increase operating revenue and reduce pet populations.

**Attachments:** Resolution #2011-03

Proposed Rates and Fee adjustments related to Animal Control  
 Notice of Public Hearing

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

I move to approve the amendment to the City's Rates and Fees for fiscal year 2010-11 & 11-12, with proposed new fees and adjustments to the current fee structure for Animal Licenses and Animal Control Permit Fees, and to implement an Amnesty program that forgives all late fees and licensing penalties for new and renewing applicants until July 1, 2011.

***Environmental Assessment Status***

**CEQA Review:**

**NEPA Review:**

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

Copies of this report have been provided to:



**RESOLUTION NO. 2011- 03**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF VISALIA, APPROVING THE ADJUSTMENTS TO THE ANIMAL CONTROL RATES AND FEES AND IMPLEMENTING AN AMNESTY PROGRAM FOR LATE FEES FOR THE REMAINDER OF FISCAL YEAR 2010/11 & FISCAL YEAR 2011/12**

**WHEREAS**, the adjustments to the City's Animal Control Rates and Fees are recommended by the Poundmaster; and

**WHEREAS**, Resolution No. 92-123 established a policy and procedure for the annual review and approval of the City fees and charges which is compiled in a document entitled: *City of Visalia Administrative Policy on Fees and Charges*; and

**WHEREAS**, the City of Visalia has complied with its fee adjustment policy and procedures, its ordinances related to fee adjustment, the California Constitution, and California statutes relating to the adoption and amendment of fees and charges; and

**WHEREAS**, the fees and charges related to ministerial projects are statutorily exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines section 15268; and

**WHEREAS**, the Charter of the City of Visalia authorizes the imposition and adjustment of fees for city services including city-wide administrative services, general governmental services, community development services, community services, public safety services, public works services and engineering and transportation services, and directs the City Council to establish fees by resolution to provide for their adjustment; and

**WHEREAS**, Visalia Municipal Code ("VMC") sections 6.12.090, authorizes the imposition of license fees and directs the City Council to establish fees by resolution as recommended by the Poundmaster; and

**WHEREAS**, in compliance with California Government Code Section 66016, et seq., notice of the time and place for the hearing on adjustment of the fees outlined herein has been given; and

**WHEREAS**, the City Council of the City of Visalia has reviewed the proposed City of Visalia Animal Control Rates and Fees proposal for the remainder of Fiscal Year 2010/11 and Fiscal Year 2011/12; and

**WHEREAS**, the City Council of the City of Visalia did conduct a public hearing on the proposed animal control fee adjustments on January 18, 2011.

NOW, THEREFORE, the City Council of the City of Visalia finds:

1. The fee and charge adjustments proposed herein comply with the *City of Visalia Administrative Policy on Fees and Charges*; or

2. The fee and charge adjustments proposed herein comply with the adjustment requirements required by the authorizing ordinances; or
3. The fee and charge adjustments proposed comply with the increase requirements contained in Government Code section 66016, et seq.
4. The fees and charge adjustments are statutorily exempt from the California Environmental Quality Act either as fees and charges related to ministerial projects or that meeting operating expenses, financial reserve needs, further capital projects for services, or the purchasing or leasing of supplies; and
5. The findings required by authorizing ordinances enumerated herein to adopt fees have been made as a part of the respective original adopting resolutions of the Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Visalia adopts the adjustment of the Rates and Fees for the remainder of Fiscal Yea 20010/11 and Fiscal Year 2011/12 for Animal Control. These rates and fees go into affect on February 1, 2011.

PASSED AND ADOPTED: \_\_\_\_\_

STATE OF CALIFORNIA                    )  
COUNTY OF TULARE                    ) ss.  
CITY OF VISALIA                         )

I, \_\_\_\_\_, City Clerk of the City of Visalia, certified the foregoing is the full and true Resolution No. 2011-\_\_\_\_\_, passed and adopted by the Council of the City of Visalia at a regular meeting held on January 18<sup>th</sup>, 2011.

DATED: \_\_\_\_\_, CITY CLERK

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 14

**Agenda Item Wording:** **Public Hearing and Introduction of Ordinance No. 2011-01**, Zoning Text Amendment No. 2010-12: A request by the City of Visalia to amend portions of Title 17 of the Visalia Municipal Code pertaining to proposed changes to Zoning Ordinance Section 17.48 (Subdivision and Kiosk Signs) (Note; This version supersedes and expands ZTA No. 2010-07, that was originally reviewed by City Council on October 18, 2010, and referred back to the Planning Commission on that date).

**Deadline for Action:** None

**Submitting Department:** Community Development Department  
Planning Division

**Contact Name and Phone Number:**  
Andrew Chamberlain, Senior Planner 713-4003  
Chris Young, P.E. Community Development Director/City Engineer 713-4392

**Department Recommendation:** The Planning Commission recommends that the City Council introduce Ordinance No. 2011-01 for the first reading of Zoning Text Amendment No. 2010-12, amending Subdivision Signs, and terminating the Subdivision Kiosk Sign Program. The Planning Commission included three revisions to the proposed Ordinance Amendment. These three recommended revisions are discussed on page 2 of this report.

**Background ZTA No. 2010-07:** On October 18, 2010, the City Council reviewed a proposed amendment to the Sign Ordinance pertaining to subdivision and real estate signs (ZTA No. 2010-07). The Council approved the real estate sign changes. However, it directed staff to modify the subdivision sign component, including termination of the Subdivision Kiosk Sign Program and return it to the Planning Commission for their input.

**Zone Text Amendment No. 2010-12:** At City Council direction, staff referred the revised subdivision (including kiosk sign termination provisions) to the Planning Commission on December 13, 2010. The action has a new Zoning Text Amendment number (ZTA 2010-12) to clarify the intent of the remanded action.

Subdivision Signs: The proposed changes to the subdivision sign ordinance include provisions for up to four off-site signs and on-site signage standards. It also includes allowances for on-site activities which are not visible from outside of the subdivision, a proposal to locate all of the subdivision sign sections in one location in the Zoning Ordinance, and it proposes a simplified permit system.

**For action by:**  
 City Council  
 Redev. Agency Bd.  
 Cap. Impr. Corp.  
 VPFA

**For placement on which agenda:**  
 Work Session  
 Closed Session

**Regular Session:**  
 Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): 30

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

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

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

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

Subdivision Kiosk Sign Program: The proposed amendment to the Subdivision Kiosk Sign Program includes a sunset date of January 1, 2012 for the removal of all kiosk signs, along with provisions for early removal of signs that are not in use or that have become Code Compliance maintenance nuisances where the City has had to send two or more notices to abate graffiti.

On-site Subdivision Promotional Signage and Devices: This Amendment proposes changes to the current code as noted below, and includes only those amendments to expand the scope of allowable on-site subdivision signage and advertising activities as previously directed by the City Council on October 18 and at the previous hearings on this issue

**Committee/Commission Review and Recommendations:** The Planning Commission held a public hearing on December 13, 2010, and recommended approval of ZTA No. 2010-12 (3-0, Peck/Lane absent) with the recommended revisions noted in the section below.

1. **Definition of a Subdivision** – The Planning commission recommended using the Subdivision Map Act (Section 66424) definition.

Existing Proposed Wording: For the purposes of this Section 17.48.080(F), a residential subdivision is defined as a housing project within a recorded tract where ten (10) or more dwelling units are concurrently undergoing construction and being offered for sale by the developer of the residential subdivision.

The Planning Commission concluded that the proposed subdivision definition, when taken literally, requires that ten or more dwelling units be under construction at any given time. Based upon testimony received this may not be achievable based upon the current and anticipated future market trends and industry practices. The Commission's intention was to allow subdivisions of ten or more lots, whether under construction or not, to qualify for the programmatic permit, and not tie it to a number of units under construction. The Subdivision Map Act defines a subdivision but does not specify a clear minimum number of lots, or the state of construction on the lots.

Alternate Wording Proposed by the Planning Commission: For the purposes of this Section 17.48.080(F), a residential subdivision is defined as a housing project within a recorded tract with ten (10) or more parcels being offered for sale with existing new units or units to be constructed by the developer of the residential subdivision.

2. **Off-site signs** – The Planning Commission recommended there be no restriction on the sign content/copy as long as it pertains to sales for the subdivision.

Existing Proposed Wording: Offsite temporary subdivision signs may only contain commercial messages thereon limited to the name of the subdivision, developer's name or logo or branding identification, directional information, contact information, and shall not be illuminated.

The Planning Commission felt that there should be no restrictions on the sign copy content as long as it pertains to sales of units of that subdivision.

Alternate Wording Proposed by the Planning Commission: Offsite temporary subdivision signs may only contain commercial messages thereon pertaining to the sale of units in the subdivision, and shall not be illuminated.

3. **Kiosk Graffiti Abatement** – The Planning Commission discussed the proposed provisions for revocation of kiosk permits which are subjected to graffiti. As proposed, the new provisions would allow the City to revoke a kiosk sign permit for a kiosk sign if it was the subject of two or more notices under the City's graffiti abatement ordinance. The Planning Commission felt this provision was too draconian, and felt that the permit holders should not be subject to having their permits revoked unless they failed to abate the graffiti within the time period provided by the Code.

Existing Proposed Wording: A subdivision kiosk sign that has been the subject of two or more graffiti removal notices by code enforcement personnel shall no longer be considered a permitted nonconforming use and shall be subject to an immediate removal order.

The Commission felt that it should be changed to removal if there were two City notices that were not abated within the required notice period.

Alternate Wording Proposed by the Planning Commission: A subdivision kiosk sign that has been the subject of two or more graffiti removal notices which have not been abated in conformance with the requirements of Chapter 9.16 shall no longer be considered a permitted nonconforming use and shall be subject to an immediate removal order.

### **Proposed Amendments for Subdivision and Kiosk Signs:**

The following sections for Permit System, Off-site signs, On-site Signs, and Kiosk Signs contain the City Council directed revisions to the sign ordinance. The two Planning Commission recommendations are not included in these sections and would need to be added if the Council found them to be consistent with the intended revisions to the sign codes. Each section provides a brief discussion of the section and overall changes with the proposed code.

#### **Permit System for Subdivision Signs**

Presently subdivision signs do not require a permit; kiosk signs do require a permit. The proposed zoning text amendment would require a programmatic permit for all subdivision signs pertaining to a particular subdivision. This way the City can more accurately track what signage has been permitted for each developer. It would still streamline the permit process and minimize its cost to developers because a single programmatic permit will cover all signs for a subdivision.

The permit program includes a six month time limit, with extensions that allow the applicant and staff to efficiently track the process. This also allows the City to enforce removal of signs when a subdivision is built-out or to maintain leverage in enforcing the permit terms as noted below. The recommended permitting process also requires better property owner contact information for off-site signs which would assist staff for enforcement purposes.

Section "e" provides denial and revocation powers to staff for developers that do not follow the rules pertaining to signs in the zoning ordinance. The loss of the subdivision signage that will be authorized by the zoning ordinance should be a strong disincentive to developers and sign companies to engage in illegal sign activities to advertise a subdivision. For example, using a blimp is a prohibited portable sign, and would subject the developer to permit revocation or denial. Off-site human spinners are also illegal portable signs. It should also be noted that revocation under this provision is not mandatory, but may be required at the discretion of the City. Violations of these subdivision sign provisions could also be penalized through the administrative citation process, which is the present primary enforcement tool. The financial disincentive of this enforcement tool has also proved to be very effective in the past.

The section below is the proposed ordinance language for temporary subdivision signs.

*17.48.080 Sign regulations for design districts.*

#### *F. Temporary Subdivision Signs.*

1. *Temporary subdivision signs for a residential subdivision shall require a sign permit.*
  - a. *For the purposes of this Section 17.48.080(F), a residential subdivision is defined as a housing project within a recorded tract where ten (10) or more dwelling units are concurrently*

*undergoing construction and being offered for sale by the developer of the residential subdivision.*

*b. Sign permit applications for temporary subdivision signs will be reviewed by the city planner, or designee of the city planner. A single programmatic permit may be issued on a per residential subdivision basis for all temporary subdivision signs attributable to a particular residential subdivision.*

*c. Sign permits for all offsite temporary subdivision signs shall expire not later than six months after issuance. The city planner shall have the discretion to grant an extension or extensions of the permit's duration, however, under no circumstances may the permit extend beyond such time that the residential subdivision developer has completed the sale of all dwelling units in the residential subdivision.*

*d. Written evidence of the property owner's consent must be presented with an application for a sign permit for temporary subdivision signs not located on the applicant's property.*

*e. The city planner, or the designee of the city planner, may deny an application for a temporary subdivision sign permit or programmatic permit, or may revoke an existing temporary sign permit or programmatic permit where, an applicant, permittee, or residential subdivision developer fails to comply with any of the provisions of this Chapter.*

This section and the following two sections are all being located in one place in the Zoning Ordinance. This results in all the subdivision sign provisions in one location for unambiguous reference while isolating the specialized subdivision sign provisions from all other sign provisions for other uses and zones.

#### Off-site Signs

The numbers and sizes of off-site signs is consistent with the previous recommendation proposed by staff. The content has been simplified by rearranging it into four sections rather than the previous recommendation which was seven sections.

#### *17.48.080 Sign regulations for design districts.*

##### *F. Temporary Subdivision Signs.*

#### *2. Offsite temporary subdivision signs.*

*a. Up to four (4) offsite temporary subdivision signs with a size not to exceed 4'x8' per sign (32 sq. ft. per face) and a height not to exceed ten (10) feet may be permitted per residential subdivision. Signs may be single- or double-faced, or V-shaped if the angle between the two faces does not exceed 45 degrees. Signs shall be located on private, non-residential zoned property. The city planner, or designee of the city planner, shall have the discretion to allow signs on residential zoned property that is unoccupied, vacant and otherwise free from any structures or buildings. Signs shall not be made or constructed from cloth, bunting, plastic, paper or similar material. Banners and flags with or without an advertising message shall not be permitted offsite.*

*b. In addition to any sign permitted pursuant to subdivision a. above, up to four (4) offsite temporary subdivision signs in an A-frame configuration, with a size not to exceed twelve (12) square feet per face or four (4) feet in height, may be permitted per residential subdivision. A-frame signs shall be located on private, non-residential property or on public property behind any existing sidewalks, and in such a manner so as to not to create a safety hazard by obstructing the clear view of, or otherwise hinder or impede, pedestrian and vehicular traffic. A-frame signs may only be displayed during the operating hours for the residential subdivision sales office, and may be located no further than one thousand five hundred (1,500) feet from the subject residential subdivision entry. The City Planner, or designee of the City Planner, shall have the*

*discretion to allow offsite temporary A-Frame signs on residential zoned property that is unoccupied, vacant and otherwise free from any structures or buildings.*

*c. Offsite temporary subdivision signs may only contain commercial messages thereon limited to the name of the subdivision, developer's name or logo or branding identification, directional information, contact information, and shall not be illuminated.*

*d. No more than one offsite temporary subdivision sign per parcel shall be allowed.*

#### On-site Signs

The previous recommendation did not provide any clarification of on-site subdivision signage or activities. The following sections "a" through "d" are identical to the current Zoning Ordinance provisions. Sections "e" and "f" add clarification to allow a variety of signage within the subdivision as long as it can not be seen from outside the subdivision and does not create a safety hazard to pedestrians or vehicles within the subdivision. Blimps are already prohibited and would not be allowed by this provision.

This recommendation recognizes the developers desire to have on-site advertisements and activities while recognizing the fact that the proposed off-site signage allowances provide adequate directional signage to get potential buyers to the subdivision while limiting the potential for visual blight to neighbors and disinterested passersby.

*17.48.080 Sign regulations for design districts.*

#### *F. Temporary Subdivision Signs.*

#### *3. Onsite temporary subdivision signs*

*a. A residential subdivision may erect within its boundaries, a maximum of either two (2) signs or up to one (1) sign per every three hundred lineal feet that the subdivision perimeter fronts upon a public street. For purposes of this subsection, residential subdivision shall have the same meaning as in subsection 17.48.040(T).*

*b. Onsite temporary subdivision signs shall be non-illuminated, shall not be made or constructed from cloth, bunting, plastic, paper or similar material, and shall have dimensions which shall not exceed four (4) feet by eight (8) feet per sign and thirty-two (32) square feet per sign face, or a height of eight (8) feet, or if located behind an exterior wall of a residential subdivision, at a height not to exceed twelve (12) feet.*

*c. The temporary subdivision signs may be erected and maintained within a subdivision until all parcels within the subdivision are sold.*

*d. The signs shall be no closer than three hundred (300) feet from each other.*

*e. Additional signs, banners, reader board, pedestrian oriented signs, and flags with or without an advertising message may be maintained within the boundaries of a residential subdivision provided that they are not visible from outside the residential subdivision and do not create a safety hazard by obstructing the clear view of pedestrian and vehicular traffic within the residential subdivision.*

*f. Banners or wall mounted signs on an exterior wall of a residential subdivision shall be prohibited.*

#### Proposed Amendments to Subdivision Kiosk Sign Program

The proposed change to the Subdivision Kiosk sign program provides an amortization period until January 1, 2012, at which time all of the Kiosk signs are required to be removed. The proposed change also includes conditions under which individual kiosk signs could be removed if they are not in use for more than 30 days. In addition, they could be removed if they are not maintained, or are the subject of two or more graffiti removal notices from the City.

17.48.040 General Provisions.

*T. Subdivision Kiosk Signs. Any subdivision kiosk sign existing prior to January 1, 2011, and for which a permit was previously issued, shall be regarded as a permitted nonconforming use which may be continued until January 1, 2012; provided that it continues to be operated and maintained in compliance with the requirements of the permit under which it was issued and in accordance with all applicable requirements of the Visalia Municipal Code. Inactive subdivision kiosk signs which do not contain any placards with directional arrows indicating the location of a subdivision for more than thirty (30) days shall be deemed to be a non-permitted nonconforming use and shall be immediately removed. A subdivision kiosk sign that has been the subject of two or more graffiti removal notices by code enforcement personnel shall no longer be considered a permitted nonconforming use and shall be subject to an immediate removal order.*

**Related Action for Enforcement**

The proposed changes to Subdivision signage will establish a new permitting process and standards. However, Council previously authorized an interim period of expanded signage while these subdivision sign amendments were being vetted and approved. Consistent with Council's previous direction, the interim uses allowed were not intended to include protection under the Municipal Code as "Pre-Existing and Non-conforming" uses under Zoning Ordinance Section 17.40, as stated in the attached letter from the City to the Home Builders Association dated June 2, 2010. It was intended that all interim uses in conformance with these amendments would become the subject of permits once the amendments are adopted and become effective, and that interim uses not in conformance would be discontinued and removed. The following language has been added to the proposed Ordinance consistent with the Council's previous direction on this issue.

All subdivision signage erected and maintained pursuant to the City Council's authorization for interim subdivision sign use on May 17, 2010, and consistent with the letter provided to the stakeholders dated June 2, 2010, which does not meet the standards in the adopted code, shall be removed on or before the effective date for this ordinance. In no case shall a subdivision be considered eligible for a programmatic permit if there is existing signage for the subdivision which is not in conformance with the adopted codes.

**Prior Council/Board Actions:** On October 18, 2010, the City Council reviewed a proposed action to amend the Sign Ordinance for subdivision and real estate signs per Zoning Text Amendment No. 2010-07. The Council approved the real estate sign changes, and directed staff to modify the subdivision proposal and return it to the Planning Commission for their input. At that same time, the Council directed staff to include the Subdivision Kiosk sign program in the proposed amendments.

**Committee/Commission Review and Actions:** The Planning Commission held a public hearing on December 13, 2010, and approved Zoning Text Amendment No. 2010-12 (3-0, Peck/Lane absent) with the two recommended revisions.

**Public Testimony:** During the public hearing, the following individuals spoke to the item:

Mr. Bob Keenan, representing the Home Builders Association (HBA) had the following comments:

- The definition of a "subdivision" is already defined as 10 units in the zoning ordinance, why change or qualify it?
- Subdividers will need banners at their subdivisions
- Kiosks which remain in use should be allowed to remain past the sunset date



- Loss of all secondary signs such as banners, flags and related is overkill, and appears to only target subdividers
- The removal of kiosk signs with graffiti complaints only targets kiosk signs and not all the other things which are graffitied throughout the City of Visalia

Jason Mayes, representing Smee Builders, provided the following comments:

- Not enough signs to get people into the subdivision
- We sell retail products in non-retail areas and need more signage
- Signs are vital to increased customer foot traffic in subdivisions
- Have to have banners, flags and similar signs to guide customers to the site

Glenn Aochi, representing New Directions, a kiosk sign provider, provided the following comments:

- The amortization program should allow providers to use active signs past sunset date
- Removal for two graffiti notices is excessive
- Kiosks bring a balance to the proposed on and off-site signs. 12 feet is too tall, keep them with a reduced height

**Alternatives:** The City Council may:

1. Approved the ordinance as contained in this transmittal; or
2. Approve the ordinance with the Planning Commission recommendations (all or partial); or
3. Propose further modifications to the ordinance as presented and refer the matter back to the Planning Commission for review and action; or
4. Take no action at this time.

Attachments:

- Attachment 1 - Ordinance No. 2011-01
- Attachment 2 - Planning Commission staff report of December 13, 2010
- Attachment 3 - Letter from City of Visalia to HBA dated June 2, 2010
- Attachment 4 – Letter from David Burr to City Council dated January 10, 2011

**Recommended Motion:** I move to introduce Ordinance No. 2011-01 for Zone Text Amendment No. 2010-12, amending portions of Title 17 of the Visalia Municipal Code pertaining to Subdivision signs and the Kiosk sign program, for the first reading.

**Alternative Motion No. 1:** I move to introduce Ordinance No. 2011-01 for Zone Text Amendment No. 2010-12, amending portions of Title 17 of the Visalia Municipal Code pertaining to Subdivision signs and the Kiosk sign program, for the first reading, with the Planning Commission/Alternative recommendations, one, two and/or three.

**Alternative Motion No. 2:** I move to add the proposed modifications, as discussed, to the ordinance as presented and refer the matter back to the Planning Commission for review and action.

### ***Environmental Assessment Status***

**CEQA Review:** This action consists of amending the regulations for temporary signs which will not result in a change of land use or density whereby the proposed changes are considered Categorical Exempt under Section 15305 and a Categorical Exemption was prepared for this project, consistent with the California Environmental Quality Act (CEQA). Staff recommends that Notice of Exemption No. 2010-53 be adopted for this project.

**NEPA Review:** Not Required

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

Copies of this report have been provided to:

- Planning Commission
- Home Builder's Association
- Tulare County Association of Realtors
- Visalia Chamber of Commerce Governmental Affairs Committee
- Donna Measell, Motivational Signs Inc.
- Glenn Aochi, New Directions
- Jason Mayes, Smee Builders
- City Subdivider & Builder List (19 companies)

ORDINANCE NO. 2011- 01

AN ORDINANCE OF THE CITY OF VISALIA TO AMEND PORTIONS OF CHAPTER 17.48 OF THE MUNICIPAL CODE PERTAINING TO SIGNS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VISALIA

**Section 1:** The Planning Commission of the City of Visalia recommends that the City Council adopt Zone Text Amendment No. 2010-12, and find it to be in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia.

**Section 2:** Consistent with its control over municipal affairs and the powers vested in the City of Visalia through the California Constitution, the City of Visalia is authorized to secure and promote the public health, comfort, safety and welfare of its citizenry. Therefore, the City Council of the City of Visalia hereby amends the Zoning Ordinance "Title 17" of the Municipal Code as provided in the following Sections.

**Section 3:** Section 17.48.040-T of the Visalia Municipal Code is hereby amended to read as follows (italics denote the new provisions, and strike-out deletions):

*T. Subdivision Kiosk Signs. Any subdivision kiosk sign existing prior to January 1, 2011, and for which a permit was previously issued, shall be regarded as a permitted nonconforming use which may be continued until January 1, 2012; provided that it continues to be operated and maintained in compliance with the requirements of the permit under which it was issued and in accordance with all applicable requirements of the Visalia Municipal Code. Inactive subdivision kiosk signs which do not contain any placards with directional arrows indicating the location of a subdivision for more than thirty (30) days shall be deemed to be a non-permitted nonconforming use and shall be immediately removed. A subdivision kiosk sign that has been the subject of two or more graffiti removal notices by code enforcement personnel shall no longer be considered a permitted nonconforming use and shall be subject to an immediate removal order.*

~~Subdivision Directional Signs. Subdivision directional signs for a residential subdivision shall require a sign permit. For the purposes of this subsection, a residential subdivision is defined as a housing project within a recorded tract where ten (10) or more structures or dwelling units are concurrently undergoing construction. Sign permit applications for proposed subdivision directional signs will be reviewed by the city planner, or designee of the city planner, and shall conform to the following requirements and specifications:~~

- ~~1. May not exceed four square feet in area or four feet in height.~~
- ~~2. May not be illuminated.~~
- ~~3. May be single or double faced, or V-shaped if the angle between the two faces does not exceed 45 degrees.~~
- ~~4. May only contain commercial messages thereon limited to the name of the subdivision, developer's name or logo or branding identification, and directional information.~~

~~5. Written evidence of owner's consent must be presented with an application for a sign permit for a subdivision directional sign. No more than one subdivision directional sign per parcel shall be allowed.~~

~~6. Sign permits for all subdivision directional signs shall expire not later than six months after issuance. The city planner shall have the discretion to grant an extension or extensions of the permit's duration, however, under no circumstances may the permit extend beyond such time that the developer has completed the sale of all units in the development.~~

~~U. Subdivision Kiosk Signs. The purpose of the subdivision kiosk signs is to direct the traffic related to new residential subdivisions in a manner that minimizes visual clutter, reduces unnecessary traffic through established neighborhoods, and provides an orderly, attractive, high quality image of the City. Subdivision kiosk signs for residential subdivisions shall require a sign permit. For the purposes of this subsection, a residential subdivision is defined as a housing project within a recorded tract where ten (10) or more structures or dwelling units are concurrently undergoing construction. Sign permit applications for proposed subdivision kiosk signs will be reviewed by the city planner, or designee of the city planner, and shall conform to the following requirements and specifications:~~

~~1. Kiosks shall include sign panels that identify the names of residential subdivisions, the developer's name or logo or other branding identification, and directional arrows. Sign panels shall not exceed seven and one-half square feet in sign area, and shall be no greater than eighteen (18) inches in height and sixty (60) inches in width. A permittee shall allow a panel for any residential subdivision on a subdivision kiosk sign, subject to available space for same, however no more than one panel per residential subdivision on a kiosk sign is permitted. No other advertising is allowed.~~

~~2. Kiosks shall not exceed fifty (50) square feet in sign area, twelve (12) feet in height, and five (5) feet in width. Proposed kiosks exceeding these dimensions require approval through the conditional use permit process.~~

~~3. No kiosk may be located within two thousand five hundred (2,500) feet of another kiosk except in the case of signs on different corners of an intersection.~~

~~4. All kiosk signs shall be placed on private property with written consent of the property owner or on City right-of-way pursuant to a City encroachment permit~~

~~5. The review of a proposed subdivision kiosk sign will include size, height, design, materials and colors of the proposed kiosk, consistency with other approved and active subdivision kiosk signs, along with its proposed location. The kiosk must be designed as an architecturally-enhanced structure that may include features such as a decorative cap and cornice detail, stone-clad or masonry-clad columns, stone-clad or masonry-clad foundation, carved/sculptured wood construction, or other similar architectural features as determined to be appropriate by the building department. The city planner, or the designee of the city planner, may from time to time adopt a standard design consistent with the requirements of this section which will be utilized for all approved subdivision kiosk signs.~~

~~6. The subdivision kiosk sign may only be located in a manner that does not obstruct the view of traffic or safety signs, encroach within vision triangles, or otherwise pose a traffic or safety hazard.~~

~~7. There shall be no additions, tag signs, streamers, balloons, flags, devices, display boards, or appurtenances, added to the subdivision kiosk signs as originally approved.~~

~~8. The city planner, or the designee of the city planner, may deny an application for a subdivision kiosk sign permit or revoke an existing subdivision kiosk sign permit where an applicant, permittee, or developer with a panel on a subdivision kiosk sign, fails to comply with any of the provisions of this Chapter.~~

~~9. Panels on subdivision kiosk signs may not be displayed after the developer has completed the sale of all units in the development. Each developer shall be responsible for their removal.~~

~~10. The city planner, or the designee of the city planner, may deny an application for a sign permit for a subdivision kiosk sign, or revoke an existing permit, where it has been determined that the applicant, permittee, or developer with a panel on a subdivision kiosk sign, is maintaining residential subdivision advertising or directional signage on a parcel adjacent to the City which does not conform with the requirements of this Chapter, or if the applicant, permittee, or developer with a panel on a subdivision kiosk sign maintains any residential subdivision advertising or directional signage in the County of Tulare which does not conform with the requirements of the Tulare County Zoning Ordinance and the Ordinance Code of Tulare County. (Ord. 2006-14 § 2 (part), 2006; Ord. 9605 § 30 (part), 1996; prior code § 7613)~~

**Section 4:** Section 17.48.080-F of the Visalia Municipal Code is hereby amended to read as follows (italics denote the new provisions, and strike-out deletions):

F. Temporary Subdivision Signs ~~(no permit required)~~.

1. *Temporary subdivision signs for a residential subdivision shall require a sign permit. Subdivision which offers a minimum of ten parcels for sale may erect a maximum of either two (2) temporary subdivision signs or up to one (1) sign per every three hundred lineal feet that the subdivision perimeter fronts upon a public street.*

a. *For the purposes of this Section 17.48.080(F), a residential subdivision is defined as a housing project within a recorded tract where ten (10) or more dwelling units are concurrently undergoing construction and being offered for sale by the developer of the residential subdivision.*

b. *Sign permit applications for temporary subdivision signs will be reviewed by the city planner, or designee of the city planner. A single programmatic permit may be issued on a per residential subdivision basis for all temporary subdivision signs attributable to a particular residential subdivision.*

c. *Sign permits for all offsite temporary subdivision signs shall expire not later than six months after issuance. The city planner shall have the discretion to grant an extension or extensions of the permit's duration, however, under no*

circumstances may the permit extend beyond such time that the residential subdivision developer has completed the sale of all dwelling units in the residential subdivision.

d. Written evidence of the property owner's consent must be presented with an application for a sign permit for temporary subdivision signs not located on the applicant's property.

e. The city planner, or the designee of the city planner, may deny an application for a temporary subdivision sign permit or programmatic permit, or may revoke an existing temporary sign permit or programmatic permit where, an applicant, permittee, or residential subdivision developer fails to comply with any of the provisions of this Chapter.

2. ~~Offsite temporary subdivision signs. The temporary subdivision signs shall be non-illuminated, shall not exceed an area of thirty-two (32) square feet per sign or a height of eight feet or if located behind a fence, at a height not to exceed twelve (12) feet.~~

a. ~~Up to four (4) offsite temporary subdivision signs with a size not to exceed 4'x8' per sign (32 sq. ft. per face) and a height not to exceed ten (10) feet may be permitted per residential subdivision. Signs may be single- or double-faced, or V-shaped if the angle between the two faces does not exceed 45 degrees. Signs shall be located on private, non-residential zoned property. The city planner, or designee of the city planner, shall have the discretion to allow signs on residential zoned property that is unoccupied, vacant and otherwise free from any structures or buildings. Signs shall not be made or constructed from cloth, bunting, plastic, paper or similar material. Banners and flags with or without an advertising message shall not be permitted offsite.~~

b. ~~In addition to any sign permitted pursuant to subdivision a. above, up to four (4) offsite temporary subdivision signs in an A-frame configuration, with a size not to exceed twelve (12) square feet per face or four (4) feet in height, may be permitted per residential subdivision. A-frame signs shall be located on private, non-residential property or on public property behind any existing sidewalks, and in such a manner so as to not to create a safety hazard by obstructing the clear view of, or otherwise hinder or impede, pedestrian and vehicular traffic. A-frame signs may only be displayed during the operating hours for the residential subdivision sales office, and may be located no further than one thousand five hundred (1,500) feet from the subject residential subdivision entry. The City Planner, or designee of the City Planner, shall have the discretion to allow offsite temporary A-Frame signs on residential zoned property that is unoccupied, vacant and otherwise free from any structures or buildings.~~

c. ~~Offsite temporary subdivision signs may only contain commercial messages thereon limited to the name of the subdivision, developer's name or logo or branding identification, directional information, contact information, and shall not be illuminated.~~

d. ~~No more than one offsite temporary subdivision sign per parcel shall be allowed.~~

3. ~~Onsite temporary subdivision signs. The temporary subdivision signs may be erected and maintained within a subdivision until all parcels within the subdivision are sold.~~

a. *A residential subdivision may erect within its boundaries, a maximum of either two (2) signs or up to one (1) sign per every three hundred lineal feet that the subdivision perimeter fronts upon a public street. For purposes of this subsection, residential subdivision shall have the same meaning as in subsection 17.48.040(T).*

b. *Onsite temporary subdivision signs shall be non-illuminated, shall not be made or constructed from cloth, bunting, plastic, paper or similar material, and shall have dimensions which shall not exceed four (4) feet by eight (8) feet per sign and thirty-two (32) square feet per sign face, or a height of eight (8) feet, or if located behind an exterior wall of a residential subdivision, at a height not to exceed twelve (12) feet.*

c. *The temporary subdivision signs may be erected and maintained within a subdivision until all parcels within the subdivision are sold.*

d. *The signs shall be no closer than three hundred (300) feet from each other.*

e. *Additional signs, banners, reader board, pedestrian oriented signs, and flags with or without an advertising message may be maintained within the boundaries of a residential subdivision provided that they are not visible from outside the residential subdivision and do not create a safety hazard by obstructing the clear view of pedestrian and vehicular traffic within the residential subdivision.*

f. *Banners or wall mounted signs on an exterior wall of a residential subdivision shall be prohibited.*

4. ~~The signs shall be no closer than three hundred (300) feet from each other.~~

**Section 5: Action for Enforcement.** All subdivision signage erected and maintained pursuant to the City Council's authorization for interim subdivision sign use on May 17, 2010, and consistent with the letter provided to the stakeholders dated June 2, 2010, which does not meet the standards in the adopted code, shall be removed on or before the effective date for this ordinance. In no case shall a subdivision be considered eligible for a programmatic permit if there is existing signage for the subdivision which is not in conformance with the adopted codes.

**Section 6: Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstances, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not effect the validity or enforceability of the remaining sections, subsections, subdivision, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Visalia hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**Section 7: Construction.** The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

**Section 8: Effective Date.** This Ordinance shall take effect thirty days after its adoption.

**Section 9: Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.



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

**Meeting Date:** January 18, 2011

**Agenda Item Number (Assigned by City Clerk):** 15

**Agenda Item Wording:** Receive the Comprehensive Annual Financial Report (CAFR) for the City of Visalia and the Component Unit Financial Statements for the Redevelopment Agency of the City of Visalia for the 2009-10 fiscal year.

**Deadline for Action:** None

**Submitting Department:** Administration - Finance

**Contact Name and Phone Number:**

Eric Frost,	Admin. Services Director	713-4474
Jason Montgomery,	Financial Analyst	713-4425

**Department Recommendation:** That City Council acknowledge receipt of the CAFR and the Redevelopment Agency Component Unit Report for the year ended June 30, 2010 and asks questions as appropriate.

**Summary:**

State law requires the City of Visalia to prepare a complete set of audited financial statements. The attached 2009-10 CAFR fulfills this requirement.

Included in the Comprehensive Annual Financial Report (CAFR) is the Measure T report which is an agreed-upon procedure of Measure T's guidelines and accounting. Also provided for Council's review are the Component Unit Financial Statements for the Redevelopment Agency (RDA) of the City of Visalia for the same period. The Component Unit Financial Statements solely report on the RDA funds, separate from the City. *Note, the Redevelopment Agency's financial activity is also reported in the City's CAFR, but the State of California requires a separate RDA audit report which presents additional detail.*

**Discussion:**

As the population has grown, the City of Visalia has increased its net assets and revenues. This past fiscal year the population grew by 1.8%. The California Consumer Price Index for All Urban Consumers for the same period increased by 0.95%. The major factors driving the City's financial results this fiscal year are the following:

- Continued depressed construction activity due at least partially to unusually high foreclosure rates.
- Continued declines in property and sales taxes.

**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.

- Spending on a number of capital projects including completion of the City's 2<sup>nd</sup> phase of the sports park, completion of the Recreation Park Stadium and the beginning of work on the update to the City of Visalia General Plan.

Table I, Recap of Fund Basis Financial Results, 2009/10, shows several key indicators including current year net income, the accumulated fund or equity balance and cash. A more in-depth analysis is found in the CAFR's Management Discussion & Analysis section (page 3).

Please consider the following:

### **Governmental Funds**

- The **General Fund** (page 28) had expenditures over revenues of \$4.9 million. This \$4.9 million deficit was partially due to operating costs exceeding current revenues by \$1.4 million. Revenues in total decreased by \$4.8 million mainly due to a decrease in sales and property taxes and a decrease in interest rates. A \$10.3 million decrease in expenditures is primarily due to a decrease in capital spending which was \$8.0 million less than in FY 2008/09.
- The General Fund's fund balance was \$41.7 million at fiscal year end, of which \$15.3 million has been reserved for advances to other funds, encumbrances and inventories. Some \$26.4 million of fund balance is unreserved but designated by City Council for specific purposes. Although most of the decline of the City's General Fund fund balance is due to the expenditure of accumulated fund balance on capital projects, the General Fund balance has decreased by \$14.6 million over the last two fiscal years.
- Transfers-out to the Convention Center remained constant at \$2.7 million in FY 209/10.
- The **Community Development** (page 24) fund's assets include \$9.5 million in notes and loans receivable and \$0.6 million in amounts due from other governments. All loans are fully offset by deferred revenue as the loans are not expected to be repaid within the next year. The notes and loans receivable are for housing assistance as well as past rental rehabilitation loans. Community Development's revenues exceeded expenditures by \$1.7 million for the year, mainly due to \$1.0 million in NSP grant funding that remains to be spent and revenues in the Vehicle Abatement fund which exceeded expenses by \$0.5 million. As a result, fund balance increased \$1.7 million from last fiscal year to \$2.1 million.
- The **Parking District** (page 28) fund had no large capital projects in progress. This year's main activities were the collection of parking in-lieu fees and loan payments on the West Acequia Parking Structure.
- The **Redevelopment Districts** (page 28) combined fund balances decreased by \$0.9 million to total \$7.5 million as of June 30, 2010. Revenues decreased by \$0.9 million, primarily from decreased property tax increment payments, to total \$8.3 million. Expenditures increased by \$1.8 million, mainly due to a State imposed payment of \$2.1 million to help resolve the State's budget shortfall.

The component unit audit for the Redevelopment Agency is also attached. This report provides greater detail on the operations of the Agency. The audit did find one item which needs to be corrected by the Agency. The Agency may not hold land longer than 5 years without either developing the land or making a finding that the land is still needed by the Agency. The Agency has held land longer than 5 years and will bring the

item to Council by March for their review. Most of the land in question is the parcel bounded by Ben Maddox, Goshen, Burke and Center. This land has not developed because of the recession.

Table I  
Recap of Fund Basis Financial Results, 2009/10  
(In Millions)

Governmental: Fund	INCOME		FUND BALANCE	Growing	Comment
	Net Income / (Loss)	Satisfactory			
General Fund	(4.9)	no	\$ 41.7	no	Continued use of fund balance for operating expenses is eroding emergency reserves
Community Development <i>HUD Grants</i>	1.7	yes	2.1	yes	Housing grants continue to provide housing programs for low income Visalians.
Parking District <i>In-Lieu Fees</i>	(0.1)	yes	1.9	no	Minimal activity due to slow development in Downtown Parking District area.
Redevelopment Agency <i>Tax Increment</i>	(0.9)	no	7.5	no	State take aways (ERAF) hit Redevelopment particularly hard in FY 2009/10.
Transportation <i>Impact Fees</i>	(1.7)	yes	1.3	no	Decline due to decreased development activity and construction of capital projects building transportation infrastructure.
Other Funds	(3.8)	yes	35.1	no	Impact fees continued to decline due to continued slow development. Sales taxes also declined except for new Measure R Regional receipts for specific projects.
	<u>\$ (9.6)</u>		<u>\$ 89.6</u>		
<b>Business-Activity:</b>					
Fund	INCOME Net Income / (Loss)	Satisfactory	AVAILABLE CASH	Growing	
Convention Center	0.9	yes	0.2	no	General Fund transferred \$2.7 million to Convention Center as planned.
Airport	0.2	no	0.0	no	Low fuel sales are limiting matching funds available for FAA grant funding of airport improvements.
Golf Course	0.1	yes	0.2	no	Valley Oaks cut expenditures to offset lower revenues.
Wastewater & Storm Sewer Maintenance	10.4	yes	32.0	yes	Wastewater is accumulating resources for Conservation Plan Upgrades to improve water quality.
Solid Waste & Street Sweeping	2.9	yes	3.2	yes	Rate increases are beginning to keep pace with capital needs.
Transit	4.6	yes	1.7	yes	New federal grants increased resources for new facility needs.
Building Safety	(0.3)	no	0.0	no	Building activity down, but expenses continue to be adjusted to match economic activity. Need to take measures to control
Enterprise sub-total	\$ 18.9		\$ 37.3		
Internal Service	0.5	yes	11.5	yes	Operating as expected.
	<u>\$ 19.4</u>		<u>\$ 48.8</u>	*	

\* Note: Business-activity fund equity includes fixed assets which are not expendable resources. Governmental funds do not include debt nor fixed assets.

- The **Transportation** fund (page 29) is used to account for the financing and construction of new streets, roads, and various new transportation infrastructure and facilities. Funding is provided by Transportation Impact Fees. The Transportation Fund's Fund Balance decreased \$1.7 million to \$1.3 million. Revenues decreased dramatically from

\$4.5 million in FY 08-09 to \$2.2 million in FY 09-10 while planned projects of \$4.1 million were completed. The revenues in this fund are directly related to new development and will not increase until development activity increases in the City of Visalia.

- All **Other Governmental Funds** (page 29), (referred to as Non-Major Funds) are not presented separately in the Basic Financial Statements, but are individually presented in Supplemental Information. Combined they received \$23.4 million in revenue and have a combined Fund Balance at year end of \$35.1 million.

### **Business Type Funds**

- **Convention Center** (page 38) operating revenues increased by \$0.3 million while salaries and operating expenses remained constant.
- **Airport** (page 38) operating revenues decreased by \$0.2 million to \$1.3 million mainly due to lower aviation fuel sales. Operating expenditures decreased by \$0.3 million due to lower aviation fuel sales.
- The **Valley Oak Golf** (page 38) Course's operating revenues decreased by \$0.1 million (4%) due to decreased golf rounds (down 5,798 rounds) and expenses decreased by \$0.2 million (10%) to help compensate for lower revenues.
- **Wastewater** (page 38) operating revenues increased \$1 million (6%) to \$16.6 million due to a rate increase and population growth as the fund prepares to pay for the major plant upgrade to improve water quality. Operating expenses increased \$0.3 million this year due to population growth.
- **Solid Waste & Street Sweeping** (page 39) - Operating revenues increased approximately \$0.9 million, (5%) due to a rate increase and population growth. Operating expenses increased \$0.1 (1%) million this year due to population growth.
- **Transit** (page 39) operating revenues increased \$0.2 million and expenses increased \$1.3 million as Transit began a new bus route and added additional bus service within the Sequoia National Forest during the summer and opened a new call center to assist riders on using the bus system county-wide. Additional grant revenues were received to cover increased operating costs. The increase of \$4.6 million in the Transit fund balance represents grant funding for future capital projects.
- **Building Safety** (page 39) operating revenues were \$1.5 million, and expenses were \$1.8 million. The ending fund balance for Building Safety was a deficit of (\$0.6) million. Expenses were reduced by \$0.3 million this year to help offset the reduced revenues in this fund.

### **General Fund and Internal Service Funds Fund Balance**

The General Fund (GF) and Internal Service Funds Fund have resources they have accumulated over time. These balances are called Fund Balance. Fund Balance is sometimes reserved because it is not available to be spent. For example, when the General Fund advances monies to another fund, the money is not available to be spent. Sometimes the Council will designate certain monies for specified purposes. This is called a designation. Otherwise, fund balance is undesignated and available for any Council directed governmental purpose. Table II, Selected Fund Balance/Net Asset Components details the components of Fund Balance for the General Fund and Internal Service Funds at year end.

Table II  
Selected Fund Balance / Net Assets Components  
June 30, 2010  
(In Thousands)

<u>RESERVED</u>	<u>General Fund</u>	<u>Internal Services</u>	<u>Total</u>
<b>ADVANCES TO OTHER FUNDS:</b>			
<b>Special Revenue Funds</b>			
Public Safety Impact Fee	\$ 2,587	\$ -	\$ 2,587
Public Facility Impact Fee	296	-	296
Softball Development	11	-	11
Measure R - Regional	648	-	648
Kaweah Lake	256	-	256
Special Service Districts	351	-	351
Federal COPS Grant	49	-	49
<b>Capital Project Funds</b>			
Community Development	135	6,380	6,515
East Visalia Redevelopment District	752	-	752
Central Redevelopment District	3,672	-	3,672
<b>Business-Like &amp; Internal Service Funds</b>			
Valley Oak Golf	333	2,620	2,953
Airport	677	-	677
Building Safety	437	-	437
Risk	208	-	208
Sub Total	<u>10,412</u>	<u>9,000</u>	<u>19,412</u>
<b>OTHER RESERVED</b>			
Encumbrances	1,915	533	2,448
PERS Prepayment	2,000	-	2,000
Supplies & Other Prepays	-	-	-
Internal Services - Net Investment in Fixed Assets	968	8,866	9,834
Sub Total	<u>4,883</u>	<u>9,399</u>	<u>14,282</u>
<b>TOTAL RESERVED</b>	<u>15,295</u>	<u>18,399</u>	<u>33,695</u>
<b>UNRESERVED</b>			
<b>DESIGNATED BY CITY COUNCIL:</b>			
<b>Capital Projects</b>			
Civic Center Facilities	9,971	-	9,971
Miscellaneous Capital Projects	2,441	-	2,441
Sports Park	2,000	-	2,000
Recreation Park Stadium	276	-	276
Transportation Projects	1,167	-	1,167
SPCA	224	-	224
Oak Tree	(9)	-	(9)
Historic Preservation	5	-	5
West 198 Open Space Acquisition	(535)	-	(535)
Internal Services - Capital Replacement	-	2,471	2,471
Sub Total	<u>15,540</u>	<u>2,471</u>	<u>18,012</u>
<b>Operational Expenses</b>			
Emergency @ 25% of Operational Expenses	10,860	-	10,860
Internal Services - Catastrophic Occurrences (Risk Mgmt.)	-	1,876	1,876
<b>UNDESIGNATED:</b>	<u>-</u>	<u>-</u>	<u>-</u>
<b>TOTAL UNRESERVED</b>	<u>26,400</u>	<u>4,347</u>	<u>30,748</u>
<b>TOTAL FUND BALANCE</b>	<u>\$ 41,695</u>	<u>\$ 22,747</u>	<u>\$ 64,442</u>

Note: The PERS Prepayment amount is decreased each year by \$400,000 against a \$4 million prepayment to PERS the City made in FY 04/05. Capital project designations are for budgeted projects carried from prior years.

Table II illustrates that the City has \$64.4 million in fund balance, the accumulated resources of these funds. Some \$33.4 million is reserved and not available for use because it is loaned to other funds or set aside encumbrances. Some \$18.0 million is designated for capital projects by Council. The remaining \$12.7 million is set aside for operational purposes. Most significantly, the Council has a policy of designating 25% of its General Fund as an operating reserve. This year, \$10.7 million was able to be set aside for operational contingencies. However, this is \$2.7 million less than what is needed to fully fund a 25% operational reserve. Steps will need to be taken to reduce future declines in operating reserves.

The designations above do not include anticipated increases in pension costs caused by the decline in the City's Cal PERS pension assets. It should also be noted that the decrease in available emergency reserves reflects the use of fund balance for operational expenses. This is a practice which will quickly exhaust General fund reserves if it is continued.

### **Other Funds**

Table I illustrates only the City's "major funds" as presented in the CAFR. Some of the City's non-major funds are worthy of comment. These funds are found in the CAFR on the referenced pages.

- **Measure T Funds** (pages 86 & 87): Fund Balance decreased \$0.5 million in the Police fund increased \$1.0 million in the Fire fund. Their combined Fund Balance at year end was \$9.4 million. Included in that Fund Balance amount is an Economic Uncertainty Reserve with a combined balance of \$1.4 million. The Measure T ballot measure's required a reserve of 25% of budgeted revenues which is being met at this time. However, it has become evident that current and future Measure T revenues will not be sufficient to cover the expenditures currently planned. The results of the recent fiscal year 2009-10 Independent Accountant's Report by M. Green and Company LLP, Certified Public Accountants support the fact that the plan is moving forward as approved by voters. However, economic realities will soon force the City to adjust the Measure T program to maintain a fiscally sound plan.
- **Measure R – Funds** (page 87): This funding source was authorized by a County-wide vote in November of 2006. Measure R has two funds, Local and Regional. The local Measure R monies are received and used according to the discretion of the Council on local road projects. Regional monies are received as reimbursements for Measure R approved capital projects. The regional fund has received advances from other funds totaling \$2.9 million (\$0.7 million from the General Fund and \$2.2 million from the Measure R local fund) for the Ben Maddox and the Santa Fe over crossings. These advances are expected to be repaid from future Measure R regional revenues.
- **Government Facilities Impact Fees** (page 88): Fund balance grew this past year from \$3.1 million to \$3.4 million. These impact fee funds are for additional (new) library, civic center and corporation yard facilities. In 2009/10, the Library Impact Fee fund completed payment for a portion of the Children's Library rehabilitation (located in Visalia) which was a joint project with Tulare County. The Civic Center and Corporation Yard funds are both accumulating resources to help fund future facilities and improvements.

### **Significant Financial Trends**

The City, over the last several years, has made great strides in developing secure diversified revenue sources to pay for infrastructure and the maintenance of that infrastructure. As a

result, the monies collected from impact fees and maintenance assessment districts have grown substantially. However, the City must now manage these resources to deliver the capital projects. Table III, Governmental Impact and Maintenance Fees Year End Fund Balance shows the relative changes in the fund balances of the major impact fees. Please note, Table III shows fund balances, not revenues. Maintenance Assessments includes open space fees and lighting and landscape maintenance assessment district (LLMAD) fees.

Table III  
Governmental Impact and Maintenance Fees  
Year End Fund Balance  
Fiscal Year Ending June 30  
(Amounts in Millions)

	<u>06/30/2009</u>	<u>06/30/2010</u>	<u>Change</u>
Gov. Facilities Impact Fees	\$3.1	\$3.1	\$0.0
Public Safety Impact Fees	(2.9)	(2.6)	0.3
Recreation Facilities	9.7	9.2	(0.5)
Storm Sewers	1.7	0.9	(0.8)
Transportation Impact Fees	3.1	1.3	(1.8)
Waterways	<u>1.2</u>	<u>1.1</u>	<u>(0.1)</u>
<b>Impact Fees</b>	<u>15.9</u>	<u>13.0</u>	<u>(2.9)</u>
<b>Maintenance Assessments</b>	<u>\$1.5</u>	<u>\$1.7</u>	<u>\$0.2</u>
Total	<u>\$17.4</u>	<u>\$14.7</u>	<u>(\$2.7)</u>

In contrast, Table IV, Revenues of Governmental Impact and Maintenance Fees, shows the decreasing revenue amounts collected from impact fees and maintenance assessment districts over the past three years. In 2009/10, the City collected \$6.7 million in revenues from these funds. This is a decrease of \$3.1 million from the prior year and \$17 million from the year before. The contrast shows that while these funds have accumulated large balances for the construction of infrastructure, the funding provided by impact fee funds is dependent upon the rate of development within the City of Visalia. As projects are completed, the balance of the impact fee funds will continue to decrease until the rate of development improves.

These funds still have significant assets to be used to construct capital facilities. ***As a result, despite the economic slow down, the City still has money to construct capital infrastructure. The key point is that the City collects significant money for creating and maintaining infrastructure.*** As a result, staff has a greater responsibility to periodically report the progress on implementing impact fee plans and maintaining infrastructure. Currently, staff prepares a year end report on the status of all impact fees. Staff expects that these projects will be completed as anticipated.

Table IV  
 Governmental Impact and Maintenance Fees  
 Revenues  
 Fiscal Year Ending June 30  
 (Amounts in Millions)

	<u>06/30/2008</u>	<u>06/30/2009</u>	<u>06/30/2010</u>
Gov. Facilities Impact Fees	\$1.1	\$0.3	\$0.2
Public Safety Impact Fees	1.6	0.5	0.4
Recreation Facilities	3.0	1.3	0.8
Storm Sewers	1.2	0.7	0.6
Transportation Impact Fees	14.0	4.5	2.2
Waterways	1.0	0.4	0.3
<b>Impact Fees</b>	<u>21.9</u>	<u>7.7</u>	<u>4.5</u>
<b>Maintenance Assessments</b>	<u>\$1.8</u>	<u>\$2.1</u>	<u>\$2.3</u>
Total	<u>\$23.7</u>	<u>\$9.8</u>	<u>\$6.8</u>

**Compliance Reporting**

The **Measure T** audit (page 141) was presented to Council on December 20, 2010, but is also being included in this report. The purpose of the Measure T Independent Accountant's Report prepared by M. Green and Company LLP, Certified Public Accountants for FY 2009-10 is to ensure compliance with the Measure T plan. While the Measure T plan elements are on track, sales tax revenues continue to be less than originally projected. Other factors such as lower interest earnings and expenditures in excess of the budgeted plan amounts are also responsible for actual resources falling behind those projected in the plan. The results of the report support the fact that the plan is moving forward as approved by voters. However, economic realities will soon force the City to adjust the Measure T program to maintain a fiscally sound plan.

**Prior Council / Board Actions:** None  
**Committee / Commission Review and Actions:** None  
**Alternatives:** None

**Attachments: Comprehensive Financial Report (CAFR)  
 Redevelopment Component Unit Report**

**Recommended Motion (and Alternative Motions if expected):** Accept the fiscal year 2009-10 Comprehensive Annual Financial Report (CAFR).

***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)*