



Visalia City Council

Visalia City Council

Meeting Agenda - Final

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Mayor Brett Taylor
Vice Mayor Liz Wynn
Council Member Steve Nelsen
Council Member Emmanuel Hernandez Soto
Council Member Brian Poochigian

Tuesday, September 2, 2025

7:00 PM

City Council Chambers

ROLL CALL

CALL TO ORDER WORK SESSION - 4:30 PM (Unless otherwise noted)

PUBLIC COMMENTS

Citizens are now invited to comment on issues within the jurisdiction of the Visalia City Council and items listed on the Closed Session agenda. The Council asks that you keep your comments concise and positive. Creative criticism, presented with appropriate courtesy, is welcome. Each speaker will be allowed three minutes, and a timer will notify you when your time is expired. Please begin your comments by stating and spelling your name and providing your city of residence.

WORK SESSION AND ACTION ITEMS (as described)

1. **New Employee Introductions** [25-0373](#)
Garian Martin, Solid Waste Operator
Chad Mahan, Solid Waste Operator
Ronnie Rodriguez, SWEEP Maintenance Service Worker
2. **Neighborhood Preservation Division overview presentation.** [25-0377](#)
Planning and Community Preservation Department management staff will present an overview of the Neighborhood Preservation Division.
3. **New City Website Update** - Review planning process and community outreach for resident feedback. [25-0387](#)
4. **Fire Station 51 Update** - Review renderings and select an exterior building style. [25-0355](#)

ADJOURN TO CLOSED SESSION - 6:00 PM (Or, immediately following Work Session)

CALL TO ORDER REGULAR SESSION - 7:00 PM

PLEDGE OF ALLEGIANCE**INVOCATION LED BY PHIL APPLEBAUM, CONGREGATION B'NAI DAVID****SPECIAL PRESENTATION / RECOGNITION****PUBLIC COMMENTS**

This is the time for general public comment on issues within the jurisdiction of the Visalia City Council. Each speaker tonight may speak for up to 3 minutes during this general comment period on a matter that is not on this agenda.

The public may also make one comment for up to 3 minutes prior to the consideration of the Consent Calendar, and immediately before any regular agenda item is heard. The Council asks that you keep your comments concise and positive. Creative criticism, presented with appropriate courtesy, is welcome.

Each speaker will be allowed three minutes and a timer will notify you when your time is expired. Please begin your comments by stating and spelling your name and providing your city of residence.

ITEMS OF INTEREST**CONSENT CALENDAR**

Consent Calendar items are considered routine and will be enacted in one motion.

This is the time for members of the public to provide public comment on an item on the Consent Calendar. Comments will not be taken individually by the public if an item is pulled by a Council Member. Each speaker is allowed up to 3 minutes, and a timer will notify you when your time is expired. Please begin your comments by stating and spelling your name and providing your city of residence.

1. **Authorization to read ordinances by title only.** [25-0254](#)
2. **Authorize Purchase of Passenger Transit Vans** - Authorize the City Manager to utilize the California Association for Coordinated Transportation Morongo Basin Transit Authority cooperative contract for Class P passenger transit vans to enter into a contract in the amount of \$685,389 with Model 1 Commercial Vehicles, for the purchase of four (4) Braun-Lonestar Class P passenger transit vans for the Visalia Transit Dial-A-Ride service. [25-0334](#)
3. **Park Project Notice of Completion** - Request authorization to file a Notice of Completion for the Stonebrook Park Shade Structure Design & Installation Services. [25-0354](#)
4. **Park Project Notice of Completion** - Request authorization to file a Notice of Completion for the Sunset Park Shade Structure Design & Installation Services. [25-0367](#)

5. **Park Project Notice of Completion** - Request authorization to file a Notice of Completion for the Whitendale Park Shade Structure Design & Installation Services. [25-0368](#)
6. **Approval of Public Transportation Agency Safety Plan** - Approval of the Public Transportation Agency Safety Plan (PTASP) and authorize the City Manager to sign on behalf of Visalia Transit and to annually review and approve. [25-0376](#)
7. **Approval of Agricultural Conservation Easement Form** - A request by Great Valley Land Trust to have their agricultural conservation easement form and content approved as required per the City's adopted Agricultural Preservation Ordinance. [25-0380](#)
8. **Authorize an updated resolution to receive and appropriate Homekey+ Funds** - Approve an updated resolution (2025-64) authorizing a joint application with Self-Help Enterprises and Crescent Meadows LP for Homekey+ funds not to exceed \$15 million; and appropriate \$15 million in Homekey+ funds for the Crescent Meadows project, contingent upon an award. [25-0382](#)

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. The Mayor may reasonably limit or extend the public comment period to preserve the Council's interest in conducting efficient, orderly meetings.

1. **Amendment to Measure N Budget** - Conduct the second public hearing to appropriate additional funds of \$519,638 for the modernization of elevators within both parking structures and Fire Station 52. [25-0385](#)
2. **Public Hearing and Ordinance Adoption -**
General Plan Amendment No. 2025-02: A request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use.
First Reading of Ordinance to adopt Change of Zone No. 2025-03: A request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use).
Location: The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103). [25-0379](#)

CLOSED SESSION REPORT

ADJOURNMENT

UPCOMING CITY COUNCIL MEETINGS

1. Upcoming City Council Meetings**[25-0250](#)**

Monday, September 15, 2025 @ 7:00 p.m. at 707 W. Acequia

Monday, October 6, 2025 @ 7:00 p.m. at 707 W. Acequia

Note: Meeting dates and 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 contact 713-4512.

Written materials relating to an item on this agenda submitted to the Council after distribution of the agenda are available for public inspection in the Office of the City Clerk, 220 N. Santa Fe Street, Visalia CA 93292, during normal business hours.



Visalia City Council

Staff Report

Visalia City Council
707 W. Acequia
Visalia, CA 93291

File #: 25-0373

Agenda Date: 9/2/2025

Agenda #: 1.

Agenda Item Wording:

New Employee Introductions

Garian Martin, Solid Waste Operator

Chad Mahan, Solid Waste Operator

Ronnie Rodriguez, SWEEP Maintenance Service Worker



Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0377

Agenda Date: 9/2/2025

Agenda #: 2.

Agenda Item Wording:

Neighborhood Preservation Division overview presentation. Planning and Community Preservation Department management staff will present an overview of the Neighborhood Preservation Division.

Prepared by:

Tracy Robertshaw, Neighborhood Preservation Manager, 559-713-4187,
tracy.robertshaw@visalia.city

Paul Bernal, Planning and Community Preservation Manager, 559-713-4025, paul.bernal@visalia.city

Department Recommendation: Receive an overview presentation from the Neighborhood Preservation Division management staff.

Background Discussion:

Planning and Community Development Department management staff will present an overview of the Neighborhood Preservation Division, which is comprised of Code Enforcement Staff.

Fiscal Impact: No fiscal impact

Prior Council Action: No prior Council action.

Other: None

Alternatives: None

Recommended Motion (and Alternative Motions if expected):

No motion required.

Environmental Assessment Status: N/A

CEQA Review: N/A

Deadline for Action: 9/2/2025

Attachments: Neighborhood Preservation Overview Presentation



City of Visalia

Neighborhood Preservation Division

2004

Start of Code Enforcement

- CODE ENFORCEMENT OFFICER HIRED AND THE EARLY DEVELOPMENT OF A CODE ENFORCEMENT PROGRAM BEGAN AS PART OF THE BUILDING DIVISION.


2005

- UPDATES TO VISALIA MUNICIPAL
- ESTABLISHED ADMINISTRATIVE PENALTIES
- APPEAL PROCESS
- SUMMARY ABATEMENTS
- CLARIFIED PUBLIC NUISANCE
DECLARATION

2006

Code Enforcement Program updated

- CODE ENFORCEMENT OFFICER
- BUILDING INSPECTOR
- SUPPORT STAFF
- PART TIME CODE ENFORCEMENT SPECIALIST

- 
- Visalia Municipal Code 1.13 Updated
 - Established
 - Administrative Penalties
 - Appeal Process
 - Summary Abatements
 - Visalia Municipal Code 8.40 Public Nuisance Updated
 - Clarified Public Nuisance Declarations

NEIGHBORHOOD PRESERVATION DIVISION

Established in 2007 as a Division of the Housing
and Economic Development Department to
Enforce Violations of the Visalia Municipal
Code and Maintain and Improve
Neighborhoods

2007

Neighborhood Preservation

- NEIGHBORHOOD PRESERVATION MANAGER
- BUILDING INSPECTOR
- CODE ENFORCEMENT TECHNICIAN
- PART TIME CODE ENFORCEMENT TECHNICIAN

2007

FIRST MAJOR NEIGHBORHOOD PRESERVATION PROJECT

Based on 618 Police Calls for Service in a 24 Month Period-
The Dead-End Alley Off Nobel (Between Bridge and Santa Fe) was Fenced



2007 - 2008

- Administrative Citations and Process Created
- Oversight by Neighborhood Preservation
 - Utilized by All Departments
- Rental Inspection Ordinance/Program Created
- Traffic Study Grant for Oval Park Applied for and Received

ADMINISTRATIVE CITATIONS

NUMBER OF CITATIONS	YEAR
598	2007
1006	2022
672	2023
971	2024

2009



- TRANSFERRED PRIVATE PROPERTY VEHICLE ABATEMENT FROM THE FIRE DEPARTMENT TO NEIGHBORHOOD PRESERVATION
- ADDED A PRIVATE PROPERTY VEHICLE ABATEMENT OFFICER

VISALIA MUNICIPAL CODE CHANGES

Monthly Collaborative Meetings With
Other Departments Resulted in the
Following Code
Updates/Additions/Changes

2009 - 2012

- Aggressive Panhandling Ordinance Implemented
- Public Nuisance Ordinance Updated
 - Excessive Calls for Service Enforcement Improved
 - Camping Added
 - Depositing Feces Added
- Graffiti Ordinance Updated (2010/2024)
- Decommissioned Ice House Park
- Changed Recycling Facility Requirements in the Zoning Ordinance
- Marijuana Ordinance Implemented (2011/2012/2017)

2013-2019

- Shopping Cart Ordinance Implemented(2013/2019)
- Massage Ordinance Implemented(2016/ 2025)
- Bee Ordinance Updated
 - Removed Police Officer Requirement
- Park Rules Ordinance Updated
 - Added Park Bans for Criminal Behavior
 - Changed Park Hours for Oval Park, Seven Oaks and the Skate Park

2020 - 2025

- Changes to Commercial Vehicles in Residential Areas
- Fines Increased for Illegal Dumping to \$1000
- Vehicle Street Storage Updated
- Special Event Permit Process Updated (2023/2025)

St Johns River Clean Ups



Visalia
Visalia Code Enforcement
Dec 3, 2020 11:33:58

Jan 22, 2019 9:30:45 AM
Tcontreras City of Visalia.

Nov 20, 2020 9:13:08 AM
Tcontreras City of Visalia.



2021

\$232,000 UTILIZED TO CLEAN UP THE ST. JOHNS
RIVER 2016-2021

FULL TIME CODE ENFORCEMENT TECHNICIAN
ADDED TO ENFORCE WATERWAY ISSUES

RESPONSIBLE FOR NEARLY 46 MILES OF
WATERWAYS INCLUDING THE ST. JOHNS RIVER

2023 - 2024

- 2023-CODE ENFORCEMENT TECHNICIANS RECLASSIFIED AS CODE ENFORCEMENT OFFICERS
- 2024-GRAFFITI ABATEMENT TRANSFERRED TO NEIGHBORHOOD PRESERVATION
- 2024-SWEEP TEAM TRANSFERRED TO NEIGHBORHOOD PRESERVATION
- 2024-ADDITIONAL CODE ENFORCEMENT OFFICER ADDED FOR COMMERCIAL AND ENTITLEMENT INSPECTIONS

COMMERCIAL/ENTITLEMENT INSPECTIONS

February 2024 through August 2025

- 321 Commercial Locations Inspected
- Cease and Desist Orders Issued to 27 Businesses
- 14 Businesses Not Permitted to Reopen

GRAFFITI ABATEMENT

JANUARY 2024 – JUNE 30, 2025

- RESPONDED TO 1,194 WORKS ORDERS
- 17,917 SQUARE FEET OF GRAFFITI ABATED



SOLID WASTE ENVIRONMENTAL ENHANCEMENT PROGRAM (SWEEP)

JUNE 1, 2024 - JUNE 30, 2025

RESPONDED TO 337 COMMUNITY MEMBER
COMPLAINTS

- PROCESSED 1,831 WORK ORDERS
- 183,620 POUNDS/91.81 TONS OF DEBRIS
REMOVED
- 99 APPLIANCES
- 139 TIRES
- 234 MATTRESSES
- 98 E-WASTE ITEMS

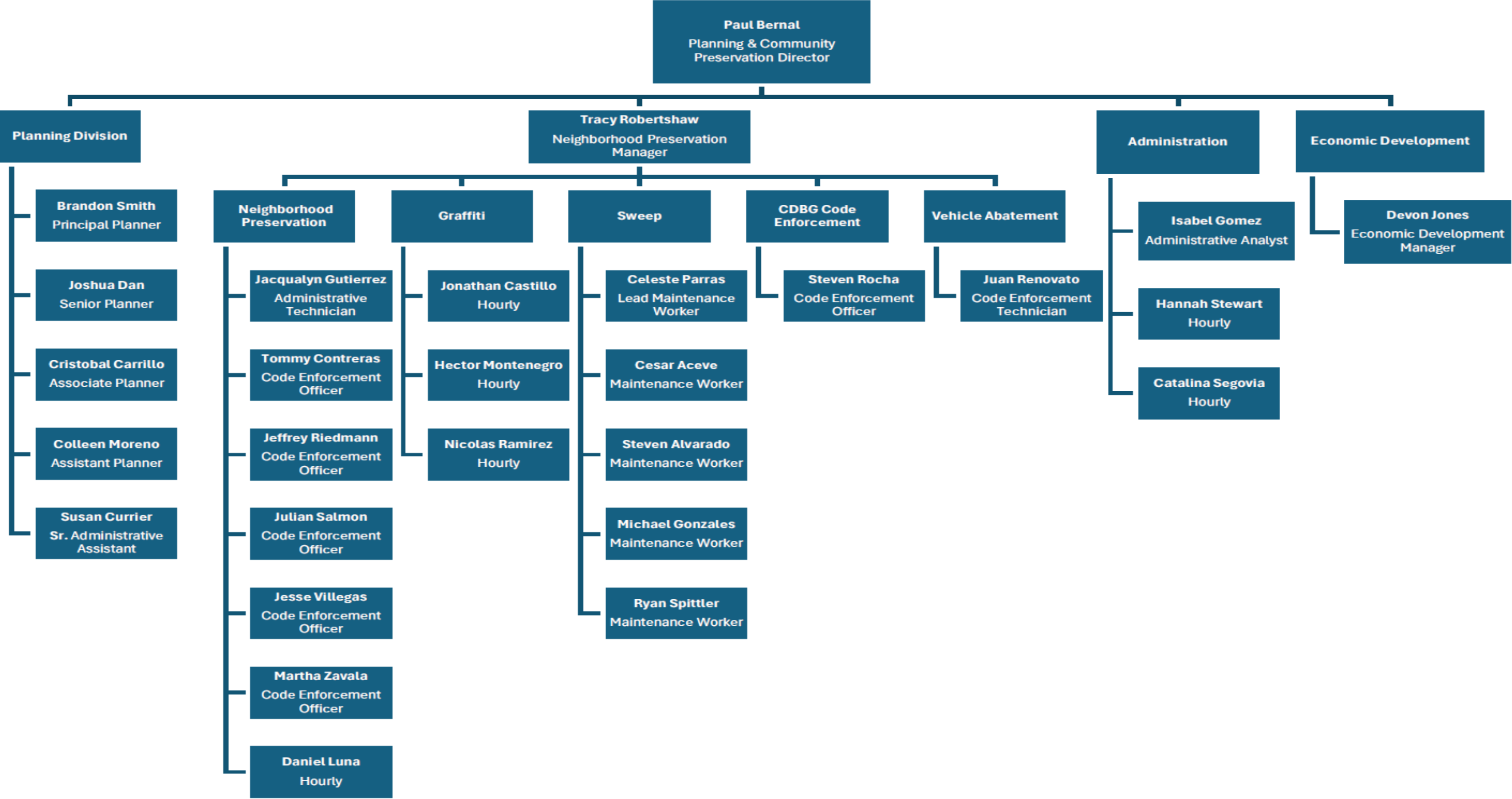


NEIGHBORHOOD PRESERVATION DIVISION

2025

- 1 Manager
- 1 Support Staff
- 7 Code Enforcement Officers
- 1 Code Enforcement Technician
- 2 Part-time Code Enforcement Technicians
- 5 SWEEP Maintenance Service Worker
 - 1 Lead/4 Maintenance Service Worker
- 5 Part-time Graffiti Abatement Staff (3 Vacancies)

Planning and Community Preservation



CASE STATISTICS

YEAR	CASES	SUBSTANDARD
2006	232	UNKNOWN
2007	241	UNKNOWN
2008	918	263
2022	1562	181
2023	1565	155
2024	1846	163

13 DANGEROUS BUILDINGS DEMOLISHED



SUBSTANDARD HOUSING ISSUES RESOLVE AN AVERAGE 190 PER YEAR



FOUND PROPERTY STORAGE



VISUAL BLIGHT



HOME BASED BUSINESS VIOLATIONS



VENDOR ENFORCEMENT



UNMAINTAINED SWIMMING POOLS



PUBLIC RIGHT OF WAY ISSUES



SHOPPING CARTS



ILLEGAL MARIJUANA GROWS



COST RECOVERY EFFORTS

- HOURLY COSTS
- CODE ENFORCEMENT TECHNICIAN \$142.00
- FINES
 - 100.00 FIRST DAY, 200.00 SECOND AND 500.00 EVER DAY THEREAFTER (Established by the California Civil Code)
 - SHOPPING CARTS \$50.00 PER CART, PER DAY (Established by the California Business and Professions Code)
- RESPONSIBLE FOR SUMMARY ABATEMENTS (Boarding and Clean-up Costs)

COST RECOVERY

YEAR	TOTAL	PAID	PENDING
2006	\$32,513	\$32,512	-0-
2008	\$154,814	\$154,814	-0-
2022	\$270,377	\$201,225	\$69,278
2023	\$275,377	\$183,730	\$91,647
2024	\$309,396	\$221,391	\$88,005

ENFORCEMENT OPTIONS

- SUMMARY ABATEMENTS
- NOTICE AND ORDERS
- ADMINISTRATIVE ENFORCEMENT ORDERS
- DECLARATION OF SUBSTANDARD BUILDING AND NOTICE OF PENDENCY OF ACTION/PROCEEDINGS (TITLE CLOUD)
- FINES
- ADMINISTRATIVE CITATIONS
- WARRANTS (INSPECTION/ABATEMENT)
- STIPULATED AGREEMENTS

REPORTING VIOLATIONS

- COMPLAINTLINE (559) 713 4534
- ONLINE www.visalia.city
- DIRECTLY CONTACTING STAFF

An aerial photograph of the Fox Theatre in Visalia, California, taken at sunset. The theatre is a large, light-colored building with a prominent tower featuring the 'FOX' logo. It is surrounded by a parking lot filled with cars and trees. The sky is a mix of orange, yellow, and blue, with the sun low on the horizon. The text 'Thank you' is overlaid in a large, white, serif font across the center of the image.

Thank you

City of Visalia — Neighborhood Preservation Division



Visalia City Council

Staff Report

Visalia City Council
707 W. Acequia
Visalia, CA 93291

File #: 25-0387

Agenda Date: 9/2/2025

Agenda #: 3.

Agenda Item Wording:

New City Website Update - Review planning process and community outreach for resident feedback.

Prepared by: Allison M. Mackey, Communications & Brand Manager, 559-713-4535
allisonmackey@visalia.city, Shonna Oneal, Administrative Services Director, 559-713-4053
shonna.oneal@visalia.city

Department Recommendation: It is recommended that the Visalia City Council receive a presentation on the update of the City's agreement with CivicPlus for web services, current project components, and upcoming community outreach for resident feedback.

Summary:

With the City's agreement in place with Civic Plus for web services, including a new website, 311 resident service request system, public records request management system, social media monitoring and archiving, and accessibility monitoring, staff have moved forward in preparing and scheduling the implementation of a community outreach plan to receive feedback from the public on the design, function and features of the new City website.

Background Discussion:

The City's current website was launched in 2015 and at the direction of Council, City staff are now working with the vendor CivicPlus to modernize the City's digital presence, enhance access to services, and foster greater civic engagement with a completely new website.

The City website as it stands now is outdated and increasingly inadequate for meeting current standards. Notably, it lacks optimization for mobile devices, presents difficulties in submitting service requests, and does not comply with upcoming accessibility regulations. Additionally, the U.S. Department of Justice Civil Rights Division is requiring that websites and mobile applications comply with the Americans with Disabilities Act Title II web accessibility rules. The City must achieve full compliance by April 24, 2026. The new City website will meet these requirements and includes continued monitoring to ensure continued compliance.

Community Outreach Plan

As requirements for government websites have changed, so have the needs and desires of the community. City staff know that community feedback is an important part of the new website planning, design and launch. The goal of the outreach is to inform the community that the planning of a new City website is underway and that we are seeking feedback through a survey and two community meetings.

The public is invited to learn more about the process and the new website that will be built by CivicPlus, with oversight and direction from the City, and how it will provide a modern, accessible, mobile-friendly, website. Utilizing CivicPlus allows the City to consolidate several independent initiatives into a single, efficient platform managed by one vendor. This consolidation will streamline staff responsibilities, reduce costs, and improve service delivery.

Messaging will include information on CivicPlus and that it's been providing City websites and services for over 25 years, and was selected based on its comprehensive service offering, ease of use, and alignment with City goals. Over 10,000 local governments use their products including City of Bakersfield, City of Modesto, City of Kingsburg, City of East Palo Alto, City of Escondido, City of Santa Rosa, City of Diamond Bar, City of Woodland, City of San Bernardino, City of Arroyo Granda, City of Chino Hills, and many more.

Goals and Objectives

At the Visalia City Council's 2025 Workshop, the Council's Strategic Priorities and Goals were set. Three specific sections of the document have items that are connected to the website process underway. These are 1) Growth and Infrastructure 2) Quality of Life and 3) Governance. At the top of this list is the Governance Year One Objective "Select a new website system and begin the transition of the website to be completed by April 2026. This process will include community outreach."

In total, the website process connects to nine sub-objectives identified by the City Manager, ranging from a community-wide calendar program to consistent and intentional communication with people who may communicate more effectively in other languages.

As previously reviewed by the City Council at the 6/16/2025 meeting, the overall goals of the project include:

- Replacement of Existing Website: Implement a modern, government-focused website platform.
- Technology Upgrade: Leverage up-to-date web, mobile, and social media technologies to enhance civic engagement.
- User Experience: Create a well-designed, intuitive, and easy-to-navigate website that offers a positive user experience.
- Content Management: Provide a streamlined, user-friendly content management system for staff to efficiently publish and manage content.
- Workflow Automation: Implement electronic review, approval, and publishing processes.
- Information Architecture: Redesign the structure and navigation of the City's website for improved usability and content discoverability.
- Program Compatibility: Ensure compatibility with existing programs and seamless integration with future tools, particularly those enabling virtual services and community engagement.
- Constituent Relationship Management (CRM): Integrate an updated VisaliaWorks with CivicPlus' SeeClickFix 311 CRM tool that allows residents to submit questions or service requests and centralizes all related communication, documentation, and task tracking serving as a new digital customer service module.
- Visual Identity: Develop a visually cohesive and brand-aligned website that reflects the City's logo and color palette.
- Accessibility and Compliance: Ensure full compliance with the Americans with Disabilities Act

(ADA) and Web Content Accessibility Guidelines (WCAG) 2.2. This includes review of content quality, broken links and other usability issues, such as color contrast and recommendations on correcting and updating content through AudioEye & Acquia Optimize tools.

- Multilingual Access: Enable content translation to serve non-English-speaking residents and visitors.
- Data Security: Meet security standards consistent with local, state, and federal requirements.
- Content Migration: Migrate all key documents and content from the existing website into the new system.
- Public Records Act Request Management: Allow for the submission and central management of public records requests through NextRequest, the public records request management tool.
- Social Media Management: Archive and oversee multiple official social media accounts through ArchiveSocial, the social media management tool.

These goals will be woven into the community outreach and messaging. City staff has prepared an outreach plan that invites community members to be a part of the planning process by featuring a Community Survey and two community outreach Listening Sessions where community members can join City staff in receiving a brief update on the process and provide feedback on what they would like to see in a new City website.

The plan was reviewed by the internal City of Visalia Website Redesign Committee, which includes representatives from each City Department. It was also reviewed by the Citizens Advisory Committee (CAC) at their Tuesday, August 12 meeting. The feedback received from the staff Committee, and the CAC was implemented into the New Website Community Survey and the outreach plan.

Website Community Survey

The survey will be hosted on Microsoft Forms and launched on Wednesday, September 3, 2025. The formal announcement of the survey will be released to the public via a press release, a News item on the City website and City social media pages, and notices in City offices.

The Survey will be available in English and Spanish and hosted digitally online at www.visalia.gov/NewWebsite. For those wishing to fill out a paper survey, print copies will be available at City of Visalia Administration Office, City Hall East, City Hall West and the Parks & Recreation Business Office. Once launched, the Website Community Survey will remain open for responses through Wednesday, September 17, 2025.

Listening Sessions & Comments

Two public meetings will be held for those in the community that would like to provide their feedback in-person. New City Website Listening Session #1 will be held on Thursday, September 4 from 6 - 7 p.m. in the Council Chambers at City Hall West and New City Website Listening Session #2 will be held on Wednesday, September 10 from 6 - 7 p.m. also in the Council Chambers at City Hall West. As requested by the CAC, a call-in option will be provided for those who cannot attend in-person.

Both Sessions will provide a brief presentation followed by the opportunity for questions and open discussion from those in attendance. The goal of the listening sessions is to share details of the project and solicit feedback from community members on what they would like to see on a new City

website. From Wednesday, September 3, 2025, through Wednesday, September 17, 2025, community members are also invited to submit comments and feedback to communityfeedback@visalia.gov <<mailto:communityfeedback@visalia.gov>>.

Reviewing the Results

The survey responses, feedback from the listening sessions, and public comments received will be compiled and shared with the project team, which includes the City Website Redesign Committee and CivicPlus.

Fiscal Impact: Funding for supplies required for this outreach and the public meetings is available in the Communications Division budget.

Prior Council Action: 6/16/2025: Authorized the City Manager to enter into a (5) year service and software license agreement with CivicPlus for web services, including a new website, 311 resident service request system, public records request management system, social media monitoring and archiving, and accessibility monitoring, piggybacking the General Services Administration (GSA) Contract GS-35F-0124U, for a total of \$570,000. 1/11/2025: Set Strategic Priorities and Goals that included Governance: Communication, Information & Feedback Year One Objective "Select a new website system and begin the transition of the website to be completed by April 2026. This process will include community outreach." 12/16/24: Council approved appropriating funds for the remaining American Rescue Plan Act (ARPA) projects. The approved projects included the website refresh.

Other: None.

Alternatives: Direct staff to extend the community outreach timeline and/or include additional steps as directed by the City Council.

Recommended Motion (and Alternative Motions if expected):
No motion required.

Environmental Assessment Status: N/A

CEQA Review: N/A

Deadline for Action: 9/2/2025

Attachments: 1) Update on the New City Website Planning Process and Community Outreach PowerPoint 2) Outreach Plan for New City Website Feedback Citizen Advisory Committee Handout



Outreach Plan for New City Website Feedback

Citizen Advisory Committee Handout – 8.12.25

Overview

Communication Objectives

1. Announce the City's plan to undergo a website redesign
2. Reach Visalia residents and ensure they are aware we are seeking feedback and will ultimately be launching a new City website in early 2026
3. Gather actionable feedback that can be folded into the planning of the new City website to improve usability, accessibility, and content clarity.

The goal of this outreach is to inform the community that the planning of a new City website is underway and that we are seeking their feedback through a survey and two community meetings.

Survey

- The survey will be hosted on Microsoft Forms and have a soft launch of Tuesday, September 2
 - o This ensures that the survey is open and available to anyone attending or watching the City Council meeting when the Council receives their presentation during Work Session
 - o Formal announcement of survey will be posted on the City website and social media on Wednesday, September 3, 2025
- Survey will run from Tuesday, September 2 through Tuesday, September 16, 2025
- **Draft Survey Questions:**
 - o 1. What best describes you? Please select all that apply:
 - I am a resident of Visalia
 - I work in Visalia
 - I am visiting or plan to visit Visalia
 - I am re-locating to Visalia
 - I utilize City services (permits, licensing, etc)
 - I am a Parks & Recreation program/event participant
 - I am a Visalia business owner or potential business owner
 - Other (please describe)
 - o 2. How often do you visit the City of Visalia website?
 - Daily
 - Weekly
 - Monthly
 - A few times a year
 - I have never visited the City of Visalia website



- 3. Which of the following devices do you use to access websites? (Please check all that apply)
 - Computer laptop
 - Tablet
 - Smartphone
 - Computer desktop
 - Other (please describe)
- 4. How do you feel about your ability to navigate the current City of Visalia website?
 - Very difficult
 - Difficult
 - Neither easy nor difficult
 - Easy
 - Very easy
 - I have never used the City of Visalia website
- 5. What do you typically use the City of Visalia website for? (Please check all that apply)
 - Paying my utility bill
 - Finding contact information
 - Applying for permits or licenses
 - Reading City Council meeting agendas or viewing meetings
 - Accessing public records
 - Checking event calendars or announcements
 - Reporting issues or concerns
 - I have never used the City of Visalia website
 - Other: _____
- 6. Is it easy to find the information you're looking for on the City of Visalia website?
 - Yes, always
 - Sometimes
 - Rarely
 - No, it's difficult
- 7. Which of these features would you like to see on the new City of Visalia website? Please select all that apply:
 - Easier search function
 - Online forms and applications
 - Mobile-friendly design
 - Notifications or email updates



- Online payment options
 - Accessibility features (e.g., screen reader support)
 - Language translation
 - Community calendar
 - Emergency alerts
 - Other (Please describe)
- 8. Which of the following features would you find most helpful on the City of Visalia website homepage? (Select up to 3)
- Pay a City bill
 - View City Council meeting agendas or minutes
 - Apply for a permit or license
 - Report an issue (graffiti, potholes, etc.)
 - Look at job openings
 - Find Parks & Recreation program or event info
 - Get latest City news
 - Find City Department contact information
 - Other (Please describe)
- 9. Are there any websites (local government or other) you regularly visit that you find especially useful, enjoyable, or well-designed?
- (Fill In)
- 10. Do you have any other comments, suggestions, or ideas for the new website?

Outreach

The communication channels and messaging will facilitate spreading the message of the survey and community meetings.

- Community Meetings
 - Tuesday, August 12 at 5:30 p.m. Citizens Advisory Committee
 - Will present to the CAC for their August meeting
 - Tuesday, September 2 from 4 p.m. City Council Meeting Work Session
 - Will present on website update, plan and survey
 - Thursday, September 4 from 6 – 7 p.m. Public Meeting
 - Will provide brief presentation followed by “Listening Session” to receive public feedback on what Visalians would like to see on new website
 - Held in the Council Chambers, with light refreshments, reserved with Purchasing
 - Wednesday, September 10 6 – 7 p.m. Public Meeting
 - Will provide brief presentation followed by “Listening Session” to receive public feedback on what Visalians would like to see on new website



- Held in the Council Chambers, with light refreshments, reserved with Purchasing
- Other
 - City Website (Create page www.visalia.gov/NewWebsite to host survey link and additional information)
 - Press Release
 - Release to Media and Community Organizations
 - Information sent to all City of Visalia Committee & Commissions
 - City Live & Play Newsletter
 - Print Materials (fliers for lobby spaces and offices)
 - City Intranet news item
 - Survey link in the City Employee Newsletter (will check dates)
 - Social Media (Main City accounts and Department pages)



VISALIA

Update on New City Website Planning & Process

Presented by:
Communications Division



September 2, 2025



SUMMARY

With the City's agreement in place with Civic Plus for web services staff have moved forward in preparing and scheduling the implementation of a community outreach plan.

The plan has been designed to receive feedback from the public on the design, function and features of the new City website.

BACKGROUND DISCUSSION

Work on the New City Website Underway

- Staff have kicked off project and are in fact finding and brand sharing phase with CivicPlus.

The Project Will...

- Modernize the City's main digital presence.
- Enhance access to services.
- Foster greater civic engagement with completely new website.

FEDERAL COMPLIANCE



DOJ Civil Rights Division Requirements

- Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA is the technical standard for state and local governments' web content and mobile apps.
- The City must achieve full compliance by April 24, 2026, and remain compliant.

KEY MESSAGING

We want to inform the community that the process of a new City website is underway and that we are seeking their feedback. Through City channels, we'll explain the process.



CITY COUNCIL STRATEGIC PRIORITIES & GOALS

Project Ties Directly to “Governance”

Per Council’s Strategic Priorities & Goals: Foster an organization that has the tools, skills and passion to provide a government that is responsive, principled, and aligned with the community’s needs and values.



OBJECTIVES TIED TO PROJECT



Growth and Infrastructure

Improve internal processes.



Quality of Life

Community Calendar and Newcomer Program.



Governance

New website, customer service module and more.



PROJECT GOALS

- Replacement of City Website
- Technology Upgrade
- User Experience
- Content Management
- Workflow Automation
- Information Architecture
- Program Compatibility
- Constituent Relationship Management
- Visual Identity
- Accessibility and Compliance
- Multilingual Access
- Data Security
- Content Migration
- Public Records Act Request Management
- Social Media Management



PROJECT COMPONENTS

- New Website
- SeeClickFix (VisaliaWorks)
Solution that empowers residents to report issues, identify repair needs, and ask questions.
- Social Media Archiving AKA Archive Social
Social media archiving solution.
- NextRequest
All-in-one public records request portal.
- AudioEye
Digital accessibility tool, focuses on web accessibility compliance

OUTREACH ELEMENTS



Survey
Digital survey in
English and Spanish,
hard copy surveys
available.



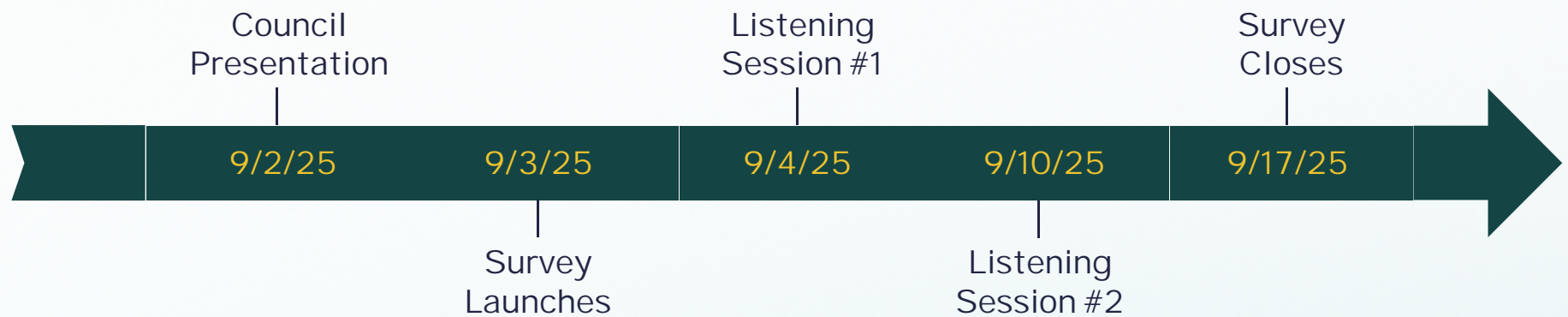
Comment Period
Comments can be
submitted via email
and social media.



Listening Sessions
Two community
outreach meetings for
in-person feedback
and questions.




COMMUNITY OUTREACH TIMELINE



Comments will be accepted throughout the Outreach timeline.



RESULTS

- **Compiled and shared with the Project Team**
All survey results and comments will be compiled by City staff and shared with the Website Redesign Project Team and CivicPlus.
 - **Organized by overall goals**
All survey results and comments will be organized and linked to one or more of the overall goals of the project.
 - **Valuable Input for Project process**
The feedback will be valuable insight as components, specific features and overall design decisions are made.
- 
- 



VISALIA

QUESTIONS

Find the survey, listening session
info and more details online at
www.visalia.gov/NewWebsite.





Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0355

Agenda Date: 9/2/2025

Agenda #: 4.

Agenda Item Wording:

Fire Station 51 Update - Review renderings and select an exterior building style.

Prepared by:

Mike Porter, Civil Engineer, Mike.porter@visalia.city (559) 713-4412

Chris Crawford, City Engineer, Chris.crawford@visalia.city (559) 713-4331

Jason Huckleberry, Engineering & Building Director, Jason.huckleberry@visalia.city (559) 713-4495

Department Recommendation: Receive an update on the Fire Station 51 building renderings and make a recommendation on the exterior building style.

Summary:

At the council meeting held on August 4, 2025, staff presented council with three exterior design concepts for Fire Station 51 (FS 51). The three styles presented were Traditional Retrofit, Early California, and Modern/Transitional.

Multiple examples of each style were presented to Council, and after discussing the pros and cons of each alternative, Council directed staff to return with more detailed renderings depicting FS 51 using the traditional and early California styles. The updated renderings are attached to this staff report for the Council to make a final decision:

1. Option A - Modified Traditional Retrofit Style
2. Option B - Modified Early California Style

The City's consultant architect, RRM Design Group, prepared the renderings and has reviewed estimated costs for each. RRM has confirmed there is no significant cost difference between these two options. The cost estimate shown further below includes the cost for either option.

Background Discussion:

Fire Station 51, situated at 309 S. Johnson Street, is the main fire department headquarters and has been a vital part of the community for several decades. Station 51 is an essential services building located in the heart of Visalia and serves both the downtown community and much of central Visalia. City staff recently completed the process of soliciting proposals from qualified design professionals for a new Fire Station 51. This new station is intended to upgrade facilities and provide much-needed additional space for the firefighters, the equipment, and larger fire engines. This new facility is intended to serve the community for the next 50-plus years.

The new station will be constructed across the street from the existing station, and will occupy the existing city-owned parking lot area between Conyer St. and Stevenson St. This strategic location will help ensure coverage of the current emergency response area and emergency response times provided by current Fire Station 51. (see attached vicinity map)

The new Fire Station 51 is being designed to meet current operational needs, which include housing eight firefighters on a continuous 24/7 basis, two paramedics during daytime hours, and providing quarters for the battalion chief. Fire Station 51 is being designed to meet California Building Code requirements for Essential Services Building construction. Design for Essential Services Buildings follow more stringent structural design and construction requirements to prevent catastrophic collapse and ensure facilities are able to provide essential services to the public following a disaster. Staff is also considering future needs and the station is being designed to accommodate a maximum capacity of 12 personnel on a 24/7 schedule to meet future growth through a space needs assessment. To determine the precise space requirements, the consultant conducted a space needs assessment in close collaboration with City Staff. The current building size is 18,500 square feet, and the site size is approximately 1.50 acres. This assessment played a pivotal role in determining the ultimate square footage required for the new Fire Station 51.

In addition to the expanded living quarters, the station has been designed with adequate space for the four frontline units currently stationed at Fire Station 51, comprising two large fire trucks and two sizeable SUVs. Furthermore, provisions have been made for the storage of a reserve ladder truck and breathing support apparatus.

Fiscal Impact:

1410-72000/CP0415-999. The project currently has \$4,400,000 budgeted from the Measure N Fund (141). The current project budget is sufficient to cover the cost of the design phase of the project and the cost of the construction management contract. Additional funds will be required to complete the construction phase of the project. These additional funds will be requested at the time of award of the construction contract, and after approval from the Measure N committee.

Budget Summary: CP0415	
Project Funding	
Available CIP Funding	\$4,400,000
Estimated Project Costs:	
Estimated Construction Cost	\$20,350,000
Architect/Engineer (actual cost)	\$794,787
Construction Manager (actual cost)	\$889,000
Surveying (1%)	\$200,000
City Staff Time (2%)	\$400,000
Construction Contingency (10%)	\$2,000,000
Inspection/Testing (2%)	\$400,000
Permits/Fees (2%)	\$400,000
Total Estimated Project Costs	25,433,787
Total Estimated Deficit	(\$21,033,787)

Prior Council Action:

8/4/25 - Council received an update on FS 51 and staff requested council select an exterior building style for the project.

11/6/23 - Council authorized the City Manager to enter into a contract with RRM Design Group for professional consulting services to prepare plans, specifications, and estimates for a new Fire Station 51 for an amount not to exceed \$797,787.

11/18/24 - Council authorized the City Manager to execute a contract with Griffin Structures, Inc. for construction management services in the amount of \$889,000

Recommended Motion (and Alternative Motions if expected):

I move to authorize staff to move forward with exterior building style:

1. Option A - Modified Traditional Retrofit Style
2. Option B - Modified Early California Style

Environmental Assessment Status: In progress

CEQA Review: In progress

Deadline for Action: 9/2/2025

Attachments:

Vicinity Map
Building Renderings



SW PERSPECTIVE



PERSPECTIVE FRONT ELEVATION



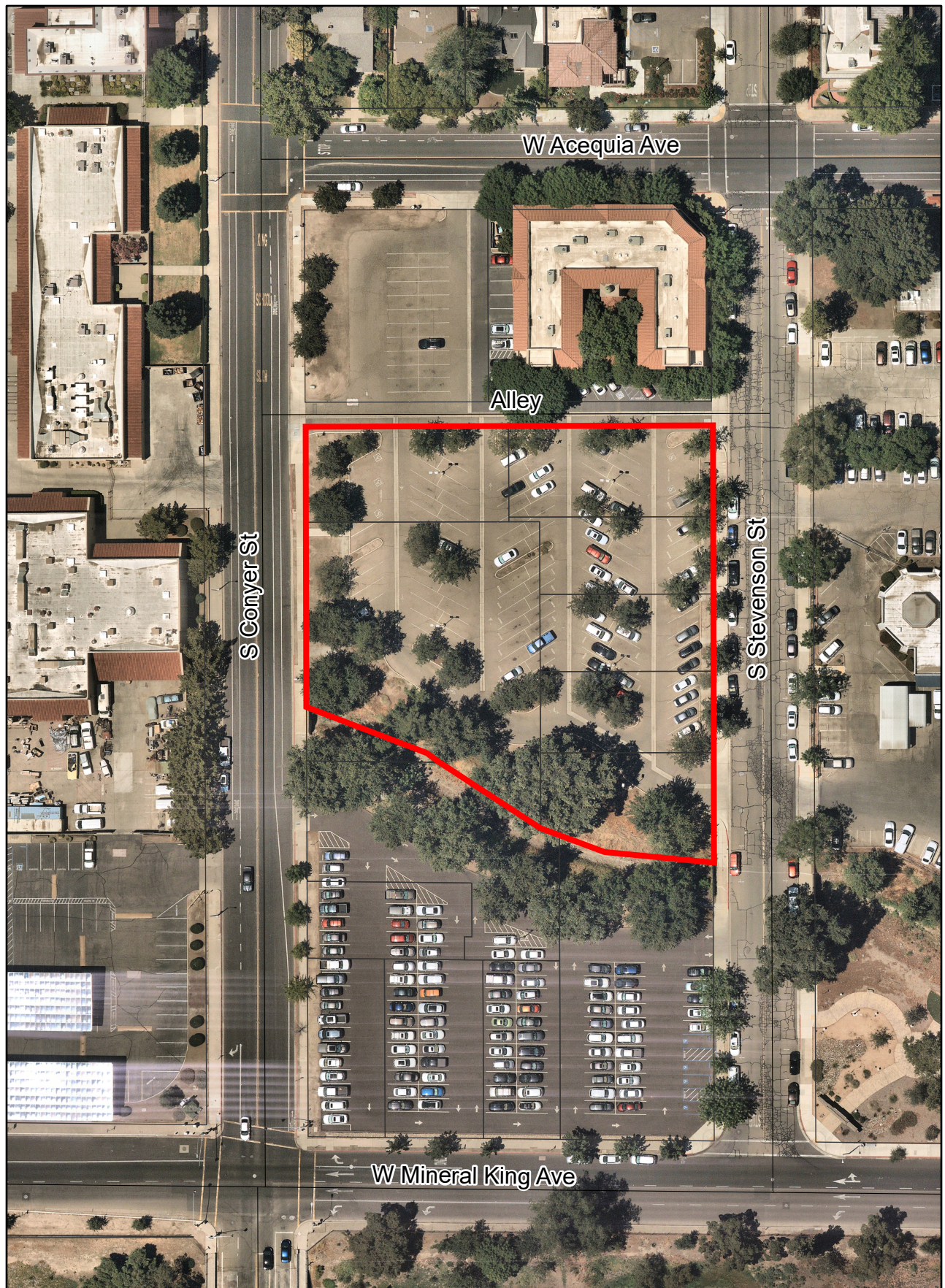
SW PERSPECTIVE



PERSPECTIVE FRONT ELEVATION

City of Visalia

Exhibit 1 - Fire Station 51 Site Location Map



Street Names — St 67's

City Limits

PARCELS



Visalia City Council

Staff Report

Visalia City Council
707 W. Acequia
Visalia, CA 93291

File #: 25-0254

Agenda Date: 9/2/2025

Agenda #: 1.

Agenda Item Wording:

Authorization to read ordinances by title only.



Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0334

Agenda Date: 9/2/2025

Agenda #: 2.

Agenda Item Wording:

Authorize Purchase of Passenger Transit Vans - Authorize the City Manager to utilize the California Association for Coordinated Transportation Morongo Basin Transit Authority cooperative contract for Class P passenger transit vans to enter into a contract in the amount of \$685,389 with Model 1 Commercial Vehicles, for the purchase of four (4) Braun-Lonestar Class P passenger transit vans for the Visalia Transit Dial-A-Ride service.

Deadline for Action: 9/2/2025

Submitting Department: Administration - Transit Division

Contact Name and Phone Number:

Caleb Bowman, Transit Management Analyst, Caleb.Bowman@visalia.city, (559)713-4594

Angelina Baker, Transit Manager, Angelina.Baker@visalia.gov, (559)713-4591

John Lollis, Assistant City Manager, John.Lollis@visalia.city, (559)713-4323

Department Recommendation:

Staff is recommending that the City Council authorize the City Manager to utilize the California Association for Coordinated Transportation (CalACT)/Morongo Basin Transit Authority (Basin Transit) cooperative contract for Class P passenger transit vans to enter into a contract in the amount of \$685,389 with Model 1 Commercial Vehicles, Inc., formerly Creative Bus Sales, Inc., for the purchase of four (4) Braun-Lonestar Class P passenger transit vans for the Visalia Transit Dial-A-Ride service.

Background Discussion:

Visalia Transit currently operates ten (10) cutaway buses; eight (8) buses of are required to support peak demand on the Dial-A-Ride (DAR) service that serves the City of Visalia, unincorporated community of Goshen, City of Farmersville, and City of Exeter. Currently, the DAR fleet has an average age of eleven (11) years and average lifetime miles of 173,000, with half of the buses being over fourteen (14) years old with over 200,000 miles, which is past their useful life. The useful life is determined by age and mileage requirements set by the Federal Transit Administration (FTA). FTA has determined that light-duty mid-sized buses (cutaways, 25-35-foot buses with a seating capacity of 16-25 passengers) have a useful life of 5-years and/or 150,000 miles. With that being said, buses don't necessarily need to be replaced simply because they're 5 years old. Buses that are properly maintained can typically have more useful life than what is determined by the FTA making it more fiscally responsible and beneficial to keep them in service longer. Additionally, the cost of parts for buses during repairs is covered by the Operations and Maintenance contractor. This means that the negotiated maintenance price between RATP Dev and The City of Visalia, when established, took into consideration the age of the vehicles. With each of these elements considered, it is more fiscally responsible for the City to get as many useful life years out of each of the vehicles as possible. Lastly, the ability to get more useful life years out of a vehicle, also aids in spreading out vehicle replacements rather than creating a situation where a large number of buses or vehicles would need

to be replaced all at once. This is strategic in budgeting and planning for fleet replacement.

At this time, staff recommends the purchase of four (4) new Braun-Lonestar Class P passenger transit vans to replace four (4) 2011 model year CNG cutaway buses with over 200,000 miles which have outlived their useful lives. Transit staff have looked at the maximum passenger load of the DAR service to see if the 18-passenger cutaway is needed for the service. Contracted (RATP) staff confirmed that there are no more than eight (8) ambulatory passengers and no more than two (2) passengers in a wheelchair onboard the buses at any given time. The cutaways being replaced are 12-18 passengers with 2-3 wheelchair positions and double the price of the Class P passenger transit van. Transit staff is recommending the downsize of most of the DAR vehicles from 18-passenger cutaways to 8-passenger transit vans. The details of each vehicle to be replaced under this project are listed below in Table 1

Table 1

Fixed Asset #	Mfr. Year	Bus Make	Fuel Type	Length (ft.)	No. of Seats	Date In-Service	Age	Useful Life (yrs.)	Odometer Reading (mi.)	Useful Life (mi.)
F12562	2011	Elkhart Coach	CNG	23	18	8/29/11	14	5	218,128	150,000
F12564	2011	Elkhart Coach	CNG	23	18	8/29/11	14	5	220,082	150,000
F12565	2011	Elkhart Coach	CNG	23	18	8/29/11	14	5	227,773	150,000
F12566	2011	Elkhart Coach	CNG	23	18	8/29/11	14	5	245,232	150,000

The grant allocations and appropriations in the current CIP VH0317 budget for this purchase are shown below in Table 2.

Table 2

Funding Source	Allocation
FTA Section 5339	\$411,233
FTA Section 5307	\$137,078
<u>LTF</u>	<u>\$137,078</u>
<u>Total Project</u>	<u>\$685,389</u>

Fiscal Impact:

The funding for this vehicle purchase is currently appropriated in CIP VH0317, which has a total budget of \$1,674,200. It is noteworthy to mention that the 5307 funds in the amount of \$137,078 have a lapsing funds date of 09/30/2025.

Prior Council Action:

None.

Other:

None.

Alternatives:

Council can elect to reject this purchase which would delay the fleet replacement schedule.

Recommended Motion (and Alternative Motions if expected):

I move to authorize the City Manager to utilize the California Association for Coordinated Transportation/Morongo Basin Transit Authority contract for Class P passenger transit vans to enter

into a contract in the amount of \$685,389 with Model 1 Commercial Vehicles, for the purchase of four (4) Braun-Lonestar Class P passenger transit vans for the Visalia Transit Dial-A-Ride service.

Environmental Assessment Status:

None.

CEQA Review:

None.

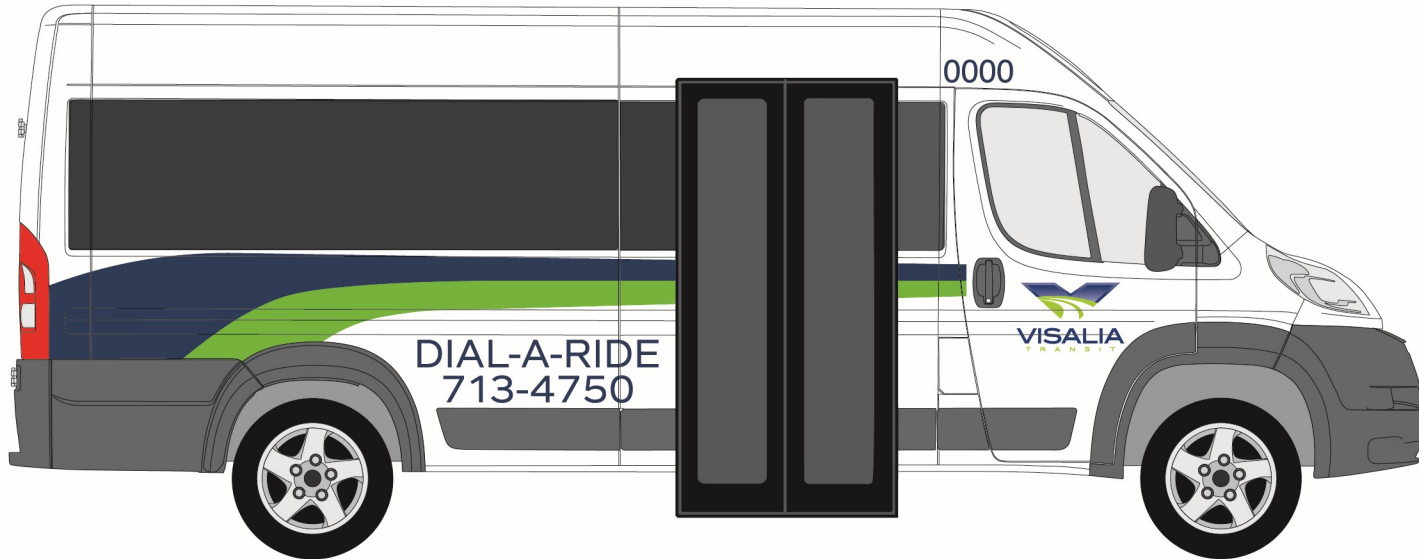
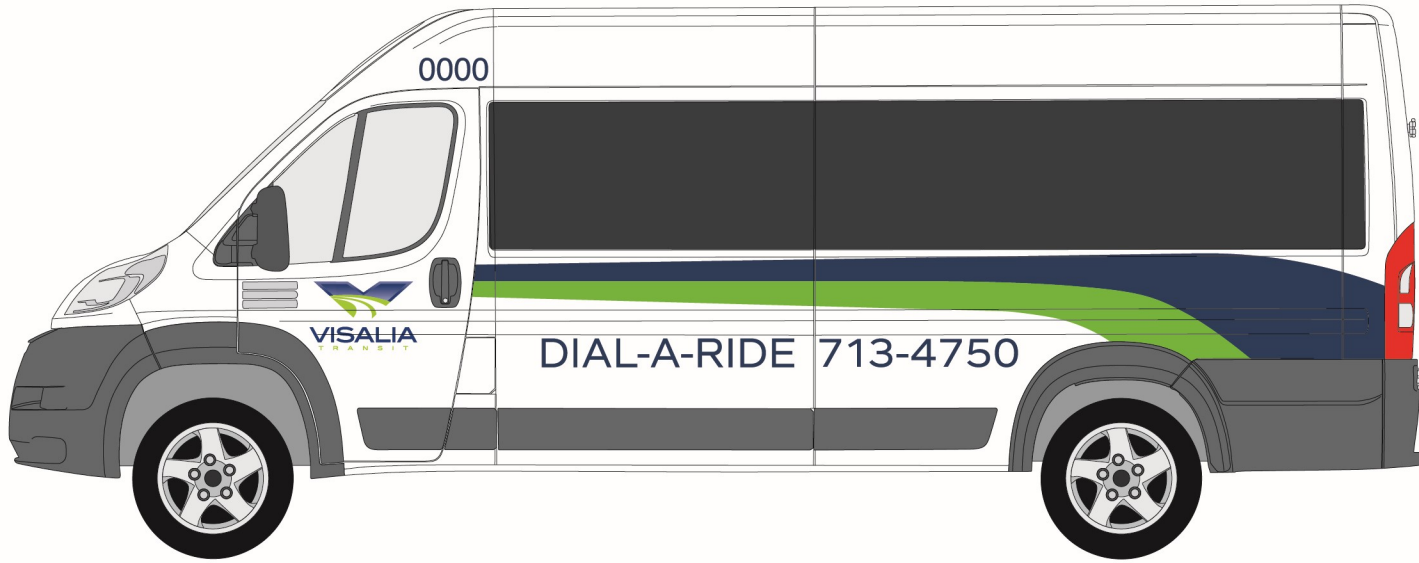
Attachments:

- 1) Model 1 Quote Sheet
- 2) CalACT Letter of Assignment to Purchase
- 3) Morongo Basin Transit Authority Contract No. 20-01
- 4) Creative Bus Sales, Inc. Notice of Name Change

CalACT MBTA RFP #20-01 - Class P - Quote Sheet (Rev 2022)				
Vehicle Type:	Class P - BraunAbility Promaster (Buy America Compliant)	Date:	8/27/2025	
Contact:	Carmen Quevado	Ramp Info:	<input checked="" type="checkbox"/> Braun <input checked="" type="checkbox"/> Front Side Loader	
Agency:	City of Visalia	Seat Material Level:	Vinyl	
Address:	425 E. Oak Ave, Suite 301	Seat Color:	Gray	
City, State, Zip:	Visalia, CA 93291	Flooring and Color:	Altro Meta Storm (Gray)	
Phone:	559-713-4592	Salesperson:	Mike Farr	
E-Mail:	Caleb.Bowman@visalia.city	Salesperson Cell:	909-730-5319	
Delivery:	30-45 Days from PO (Currently In Stock) *Depending on Options*	Salesperson E-Mail:	mfarr@model1.com	
Quantity:	Description	Price	Ext. Price	ADA
1	Braun - Lonestar - Class P - 3500 159" 8-pass/2WC	\$148,464.00	\$148,464.00	\$78,265.00
Published Options				
1	15 - Rear Step-Up to Seating Area in Rear of Van	Std	Std	Std
1	21 - Shoulder Belt Mount kit - Seatbelts Same Direction Rear Bench	Std	Std	Std
1	45 - Drivers Running Board	Std	Std	Std
1	49 - Horizontal Wall Grabrail at Wheelchair Position	Std	Std	Std
1	51 - Braun Ramp ILO OEM	Std	Std	Std
1	62 - External Power Door Lock Switch	Std	Std	Std
1	63 - Grab Bar Rear Seating Area	Std	Std	Std
1	64 - Roof Mounted Grab Bar	Std	Std	Std
1	65 - Wheelchair Area Grab Bar	Std	Std	Std
1	72 - Rear Tow Hooks	Std	Std	Std
1	82 - Rear Backup Camera and Monitor	Std	Std	Std
1	97 - Delivery Zone 1	\$886.00	\$886.00	
1	*112 - Bus Style electric bus door (3500 Only. N/A for 1500)	Std	Std	Std
Non-Published Options				
2	Q-Straint ONE Tie Down System	\$0.00	\$0.00	
1	Freedman Seat Link System	\$0.00	\$0.00	
1	Ram Tablet Mount	\$500.00	\$500.00	
1	Router/Antenna Install	\$4,400.00	\$4,400.00	
1	REI 6 Camera With Install (Visalia Spec)	\$5,869.00	\$5,869.00	
1	Storage Box/DVR Holder in place of co-pilot seat	\$1,574.00	\$1,574.00	
1	Fabricate/Install Bracket for GFI Genfare Fast Fare (See Pictures)	\$0.00	\$0.00	
1	Graphics (Visalia Dial A Ride Layout)	\$0.00	\$0.00	
		Class P - Base Price	\$148,464.00	
		Published Options	\$886.00	
		Non-Published Options	\$12,343.00	
		Total	\$161,693.00	\$78,265.00
		Doc Prep Fee	\$85.00	
The Non-Taxable Amount is the ADA Equipment in the Base and Added as Options		Non-Taxable	\$78,265.00	
		Taxable Amount	\$83,513.00	
Visalia*		Tax Total	\$7,098.61	8.500%
		Sub-Total	\$168,876.61	
		CalACT Fee	\$2,425.40	
		DMV E-File Fee:	\$33.00	
		DMV Fee	\$0.00	(Estimated)
		Tire Fee	\$12.25	
		Total	\$171,347.25	Insert Miles
		Number of Units	4	
		Final Total	\$685,389.00	

ADA AMOUNT \$78,265 Includes Items Below
-Low floor materials and labor (Compliant with ADA Law)
-Braun Ramp
-Wheelchair area grab handles, ADA compliant van, etc.
-ADA tie down kits (Belts/Lap/Shoulder)
-ADA Q One Wheelchair system (2)

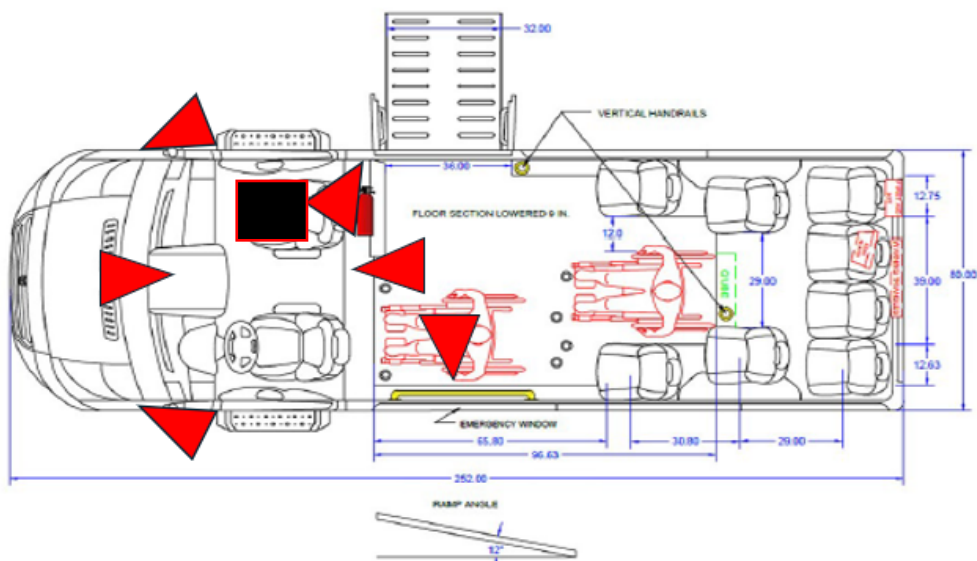
Purchasing of vehicles requires a CALACT membership, letter of assignment, and payment of procurement fee.
 If you have any questions, please contact CALACT direct at 916-920-8018..





CAMERA SPECS

Quantity	Part Number	Description
1	HD6-1200W-6-1TB HDD	HD6-1200W DVR,6 CAMS,1TB HDD
1	710809	DVR, HD6-1200 12 CH WIFI
1	512002	CABLE, POWER, HD SERIES DVR, 16'
1	710639	HDD MODULE, HD5/HD6, 1TB
1	710735	CAM, EB AHD 115D HFOV NO-IR 781
2	710669	CAM, EYEBALL AHD 115D HFOV 781
1	710688	CAM, MINIDOME AHD 115D HFOV, 778
2	710816	CAM, MINI-EB AHD 180HFOV 781
4	512168	CABLE, CAMERA TO DVR, 25'
2	511966	CABLE, CAMERA TO DVR, 30'
1	530093	CABLE, USB 3.0, A-M/B-M, 3FT.
3	512912	ADAPTOR, AHD 6PIN TO 4PIN W/ AUDIO
1	760953	KIT, EYEBALL PEDESTAL & MOUNT

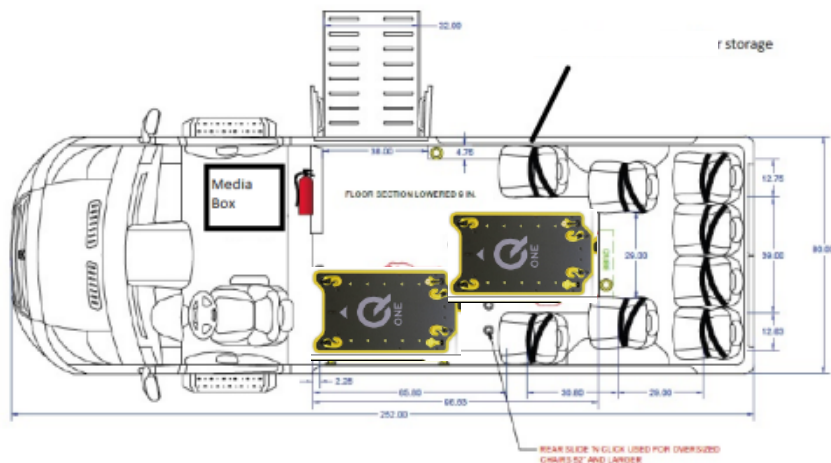




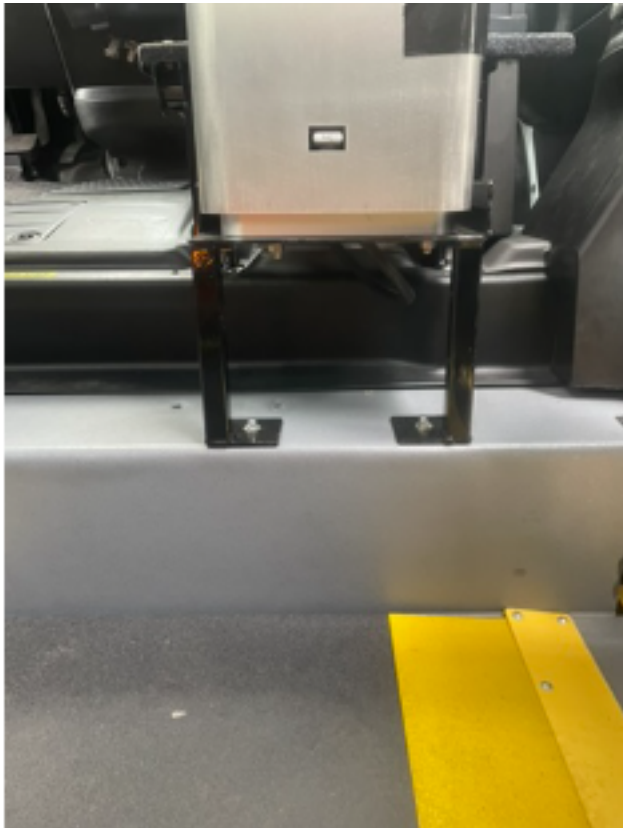
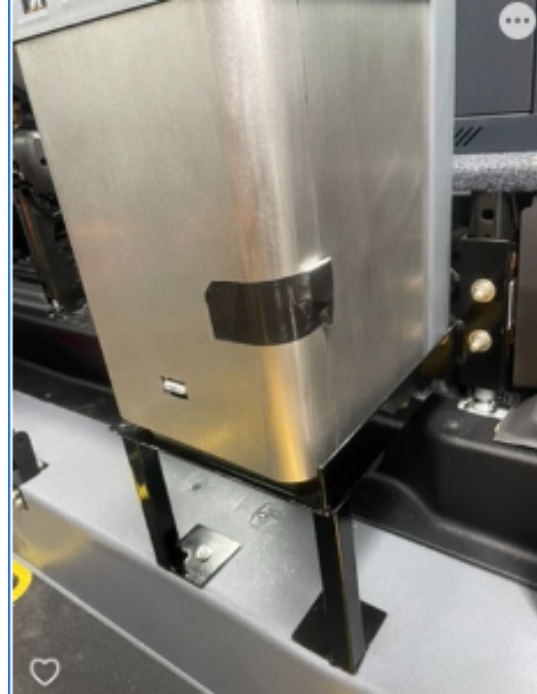
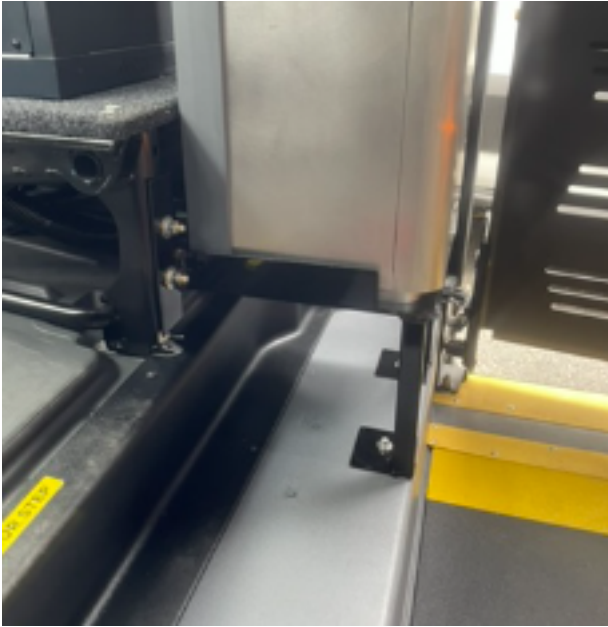
BraunAbility ProMaster 3500



*Photos not to exact specifications



FAREBOX BRACKET EXAMPLES





Promaster **CompanionVan®** - Buy America



Promaster CompanionVan® - Buy America

Standard Equipment

- Lowered floor, side entry, long cut conversion with bus style door
- BraunAbility manual swing away ramp 32" wide
- Gerflor flooring
- Insulated ABS interior ceiling & walls
- New exhaust system
- New Freedman GO-ES seating
- Safety Kit (first aid kit, fire extinguisher, triangles)
- Back up alarm - interlock system
- LED strip lighting
- Emergency exit
- Driver and passenger sidesteps
- Handrails & decals
- 36" A&M Systems power door
- Fast idle
- Amber LED light



Q'Straint One (Qty. 2)

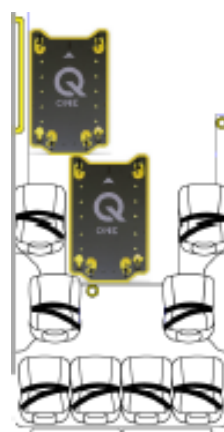
- All-in-one wheelchair securement station
- Fully secure wheelchair in under a minute
- Easy & intuitive - easy to reach hook ups
- Simple color & numbering sequencing, visual indicators, pre-positioned belt, and push-button operation
- Overall dimensions - width 30", height 1.41", length 48"
- Q'Straint One is fully crash tested and meets all current ADA requirements, including RESNA WC-4, Section 18; WC18, WC19, and 150-1054-1

Q'Straint InQline Assist

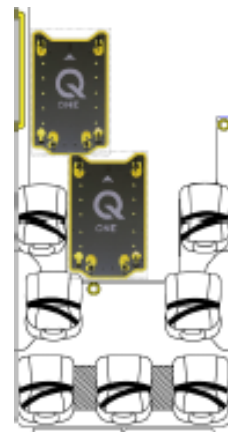
- Controlled steering - provides operators full control of the passenger boarding and debording process
- Reduces driver injury and operator liability
- Increased loading capacity
- Safety stop
- Enhanced rider experience
- Automatic winch system

Trans/Air AC System

- Specifically designed for Ram Promaster
- Stand alone system
- Total cooling capacity - 50,000 BTU



17" Wide Seats



19" Wide Seats

Freedman Seating Upgrades

- Armrest
- Additional seat bottom cushion
- Stainless steel grab handles
- Level 5 vinyl - Docket 90 gray
- Seat Link
 - Seat sensors track occupancy and belt status, and wirelessly communicate to the driver
 - A head unit displays seat status of all passenger seats, records and stores data in case of an event

Q'Straint Omni Floor

- Interlocking aluminum planks
- Ultra-durable and corrosion resistant
- Change your layout
- Light and strong
- A smart investment



Model1.com | 800.326.2877



MODEL1
COMMERCIAL VEHICLES





Class P Standard Build Options

1	Ram Pro Master 3500 Van Ext. Cargo Van 159" WB Lowered floor side entry conversion-bus door style
*	Gerflor Flooring or equal approved
*	Panels for Walls: ABS Interior wall, ABS ceiling Insulation for walls
*	Set of Q'Straint with L Track - QRT 360
*	Air Conditioner: Rear AC and Rear Heat
*	New Exhaust System
*	2 - Passenger Freedman Seats, 3pt (on back-level 4 vinyl) curbside
*	2 - Passenger Freedman Seats, 3 pt (on back-level 4 vinyl) streetside
*	2 per van /1 Passenger rigid seats (level 4 vinyl) curbside
*	2 per van / 1 Passenger rigid seat (level 4 vinyl) streetside
*	Safety Kit (first aid kit, fire extinguisher, triangles)
*	Back up alarm-Interlock System
*	LED strip lighting
*	Emergency window
*	Kit stowage Assy-Q5-8525-SC
*	Driver & Passenger side step
*	Handrails-& Decals
*	36" A&M Systems Power Door
*	Fast Idle *required*
*	Amber LED light
QTY	OPTION DESCRIPTION
1	12" belt extender
1	Qstraint 20" belt extender
4	14" webbing loops
1	Belt web cutter
1	Dash Warning Light
1	TA45LPSC2SLP Super 10
*	10 unit first aid kit
*	Blood pathogen kit
*	2.5 4 BC fire extinguisher
*	Reflective triangles

SUMMARY OF STANDARD WARRANTIES

(Provide complete warranty information and parchment with proposal)

Warranty	Miles	Years
Body Structure	36,000	3 years
Chassis	36,000	3 years
Engine	60,000	5 years
Transmission	60,000	5 years
Air conditioner	Unlimited	3 years
Lift/Ramp	Unlimited	5 years
EV Battery	N/A	N/A
EV Conversion/Installation	N/A	N/A
CNG Warranty (Install and tanks)	N/A	N/A



7/29/2025

Carmen Quevedo
425 E. Oak Avenue, Suite 301
Visalia, CA 93291

Dear Carmen:

The CALACT-Basin Transit Purchasing Cooperative is pleased to make an assignment as detailed in the Assignment to Purchase Agreement.

Additional information is available on the CALACT website at www.calact.org/purchasingco-op that documents the procurement process used by the Cooperative to solicit and award Contract No. 20-01. Prior to acceptance of the vehicles you order, a Post-Delivery Audit must be conducted by your agency if you are using Federal Transit Administration funding to purchase the vehicle.

Thank you for purchasing your vehicles through the Cooperative. Please don't hesitate to contact me if you have any questions at 916-920-8018 or email julia@calact.org.

Sincerely,

Julia Marin
Program Specialist

CALACT



Assignment to Purchase Agreement
Assignment #20-01-1214

The CALACT-Basin Transit Purchasing Cooperative, “Assignor”, hereby assigns to the City of Visalia Transit, “Assignee”, 4 options to purchase Transit Vehicles (“Vehicles”) from the Joint Procurement Cooperative at a price and under the terms and conditions contained in Assignor’s Contract No 20-01 with the Contractors awarded to on the Procurement. Only those vehicles and optional features may be purchased using the Solicitation and the purchase may only be from a Seller listed on the Schedule. Specifically, the Assignment shall have the right to purchase:

Quantity and Type of Vehicle(s):

(4) Braun-Lonestar Class P

Total # of Vehicles: 4

Such ability to purchase commenced, per terms of Contract, on 7/29/2025, and may be exercised at any time on or before 7/28/2026. Assignee must communicate any changes in the order in particular cancellation to the Cooperative as soon as possible.

With respect to the Vehicles assigned hereunder and this Assignment, Assignee agrees to perform all covenants, conditions and obligations required of Assignor under said Contract and agrees to defend, indemnify and hold Assignor harmless from any liability or obligation under said Contract. Assignee further agrees to hold Assignor harmless from any deficiency or defect in the legality or enforcement of the terms of said Contract or option to purchase thereunder. Assignee agrees and understands that Assignor is not acting as a broker or agent in this transaction and is not representing Seller or Assignee, but rather is acting as a principal in assigning its interest in the above-referenced assignment to purchase the Vehicles under the Contract to Assignee.

Please be advised that assignment of said vehicles does not constitute a recommendation or endorsement of this product by the Cooperative. The Assignee is responsible for its choice of vehicle product and options selected. Assignee is responsible for vehicle inspection, acceptance and enforcement of any contract provisions. While PreAward verifications of Buy America, FMVSS and Purchaser’s Requirements have been accomplished, Assignee is responsible for Post Award due diligence in this regard.

Purchasing agencies are responsible for and are to exercise due diligence in evaluating the suitability of these vehicles for their operating environment and are responsible for determining their eligibility for funding. In particular, the Cooperative urges you to review the Altoona test report for the vehicle you are purchasing.

Supporting documents for your records may be downloaded from our website at www.calact.org for any reviews or audits your agency will be subject to. Please contact CALACT staff for any assistance you may need at 916-920-8018.


Assignee hereby unconditionally releases and covenants not to sue Basin Transit and/or CALACT upon any claims, liabilities, damages, obligations or judgments whatsoever, in law or in equity, whether known or unknown, or claimed, which they or either of them have or claim to have or which they or either of them may have or claim to have in the future against Assignor, with respect to the Vehicles or any rights whatsoever assigned hereunder.



Julia Marin
Program Specialist
CALACT
"Assignor"

I acknowledge receipt of Assignment Letter #20-01-1214, for four (4) Braun-Lonestar Class P transit bus.

CITY OF VISALIA TRANSIT

By: 
Name: Carmen Quevedo
Title: Financial Analyst
Date:

AMENDMENT 3
BASIN TRANSIT CONTRACT NO. 20-01 – CBS-1
(Braun Lonestar Vans Extension 2)

THIS AMENDMENT is made and entered into on February 7, 2025 between and among **MODEL 1 COMMERCIAL VEHICLES (CREATIVE BUS SALES), INC.**, a California corporation, with its principal place of business located at 14740 Ramona Avenue, Chino, California 91710, ("SELLER"), and **BASINTRANSIT (Morongo Basin Transit Authority)**.

R E C I T A L S

WHEREAS, BASIN TRANSIT, by its Request for Proposals # 20-01, duly advertised for written proposals for the purchase of Paratransit Vehicles ("BUSES") on behalf of itself and the listed participating agencies by Basin Transit; and

WHEREAS the parties entered into an AGREEMENT, Basin Transit Contract No.20-01 on February 7, 2022; and amended this contract due to Force Majeure price increase request on August 12, 2022.

WHEREAS the AGREEMENT was for a two-year base period with three one-year options; and

WHEREAS the Basin Transit Board of Directors has provided authorization to exercise the **second** one-year option;



NOW THEREFORE BE IT RESOLVED incorporating the foregoing recitals herein, for and in consideration of the promises and of the mutual covenants and agreements herein contained, SELLER and BASIN TRANSIT thereby agree as follows:

1. Per Section SP-3, Period of Performance, the period of contract performance is extended to exercise the second one-year option. The new Period of Performance is extended through February 6, 2026.

2. Per Section SP-5.3, Vehicle and Optional Feature Pricing, the price of the vehicles and of the optional features for each option period shall be the unit price established in the amended Schedule adjusted by PPI 1413 on August 12, 2022 for as stipulated in the Contract and amendment. For the second one-year period, the price increase is 10.8%. The new pricing is attached to this Amendment and shall become effective for orders placed on or after February 7, 2025.

3. During the amendment addressing Force Majeure conditions made on August 12, 2022. SELLER agreed that any price changes in the future that are favorable to Basin Transit shall be identified in an amendment resulting in a lower price. SELLER has informed Basin Transit that a reduction of \$18,960 can be passed on to the agency reducing the price of the bus. Basin Transit accepts this and revises the price of the vehicle accordingly.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the date first above written.

Model 1 Commercial Vehicles, a corporation	MORONGO BASIN TRANSIT AUTHORITY
	
Nick Corley, Transit Bid Manager	Joe Meer, Director of Purchasing



Creative Bus Sales

May 22, 2023

Re: Notice of Name Change and Headquarters Address Change

To whom it may concern:

Effective June 13, 2023, Creative Bus Sales, Inc. will be changing its name to **Model 1 Commercial Vehicles, Inc.**

This change was made with great intentionality and vision from our leadership team. The name change was necessary to address our expansion into additional service and product lines while also demonstrating how we want to move into the future. We faced a reality that our company name, Creative Bus Sales, had become too limiting. We were already more than buses and more than sales. We will expand even further than bus sales by leading the industry in electric vehicles and commercial alternative fuel applications. The update to Model 1 Commercial Vehicles reflects both our business strategy and the go-first mindset we bring to the industry.

Our Federal Employment Identification Number and tax status as an Indiana S Corporation are not changing. Model 1 Commercial Vehicles remains a family-owned company and looks forward to serving our customers for many years to come.

Additionally, on July 1, 2023, our Indianapolis headquarters will be moving to allow for continued expansion. Our new Indianapolis address will be:

**9225 Priority Way
Suite 300
Indianapolis, IN 46240**

If you have any questions, please contact compliance@creativebussales.com.

Sincerely,

Tony Matijevich
President



Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0354

Agenda Date: 9/2/2025

Agenda #: 3.

Agenda Item Wording:

Park Project Notice of Completion - Request authorization to file a Notice of Completion for the Stonebrook Park Shade Structure Design & Installation Services.

Prepared by: Daryl Tillman, Park Maintenance Supervisor 713-4435; daryl.tillman@visalia.city Alvin Dias, Parks and Facilities Manager 713-4564; alvin.dias@visalia.city Jason Glick, Parks and Recreation Director 713-4042; jason.glick@visalia.city

Department Recommendation: Staff recommend that the City Council authorize the filing of a Notice of Completion for the Shade Structure Design & Installation Services Project at Stonebrook Park.

Summary:

The scope of work included the design and installation of a freestanding shade structure. The contract was awarded to Bakersfield Paving Inc. at the April 15, 2024, City Council Meeting in the amount of \$139,572.74.

Background Discussion:

On March 12, 2024, and March 19, 2024, the City solicited bids by advertising in the Visalia Times Delta and the Request for Proposals (RFP) was posted on Bid-Net. The City also emailed the RFP notices to contractors who have requested to be on the City's construction projects list to participate in this bid process.

On March 27, 2024, and March 28, 2024, two mandatory pre-bid meetings were held at Stonebrook Park. Several contractors attended the pre-bid meetings. During the pre-bid meetings, staff reviewed the bid specifications, reviewed the mandatory requirements imposed by the State of California Department of Industrial Relations, and answered any questions.

Staff received several questions from contractors where staff carefully reviewed and answered them in a separate addendum.

On April 11, 2024, the City received one proposal from Bakersfield Paving Inc. A selection committee was formed and met on April 30, 2024.

The selection committee reviewed the designs in a two-part process. The first review of the proposals that were submitted used the design criteria that were established in RFP #23-24-12F. During their review the committee felt that the proposal submitted by Bakersfield Paving Inc. met the design criteria established in RFP #23-24-12F. Staff then submitted the results to the Purchasing Division and the sealed cost proposal was released to the selection committee for review. The selection committee then meet again on May 8, 2024, to review the cost for the design and concluded that the Bakersfield Paving Inc. proposal met the requirements of RFP #23-24-12F and the needs of the

community.

Fiscal Impact: The fiscal impact for the Stonebrook Park Shade Structure Design & Installation Services Project was part of the American Rescue Plan Act (ARPA), of which \$3,900,000 was budgeted for park improvements (Project No. 3880-72000/CP0763-999). There were no change orders for the Stonebrook Park Project.

Stonebrook Park Playground Shade Structure Design & Installation Services Project CIP 3880-72000/CP0763-999	
Fund 388 - ARPA Fund	\$140,116.71
Actual Construction Costs	
Bakersfield Paving Inc.	\$139,572.74
Legal Advertisement	\$ 57.43
Building Permit	\$ 486.54
Total Project Costs	\$140,116.71

Prior Council Action: April 15, 2024 - Council authorized the City Manager to award and enter into a construction contract with Bakersfield Paving Inc. for the Shade Structure Design & Installation Services.

Other: None

Alternatives: N/A

Recommended Motion (and Alternative Motions if expected):

Move to Authorize the filing of a Notice of Completion for the Stonebrook Park Shade Structure Design & Installation Services Project.

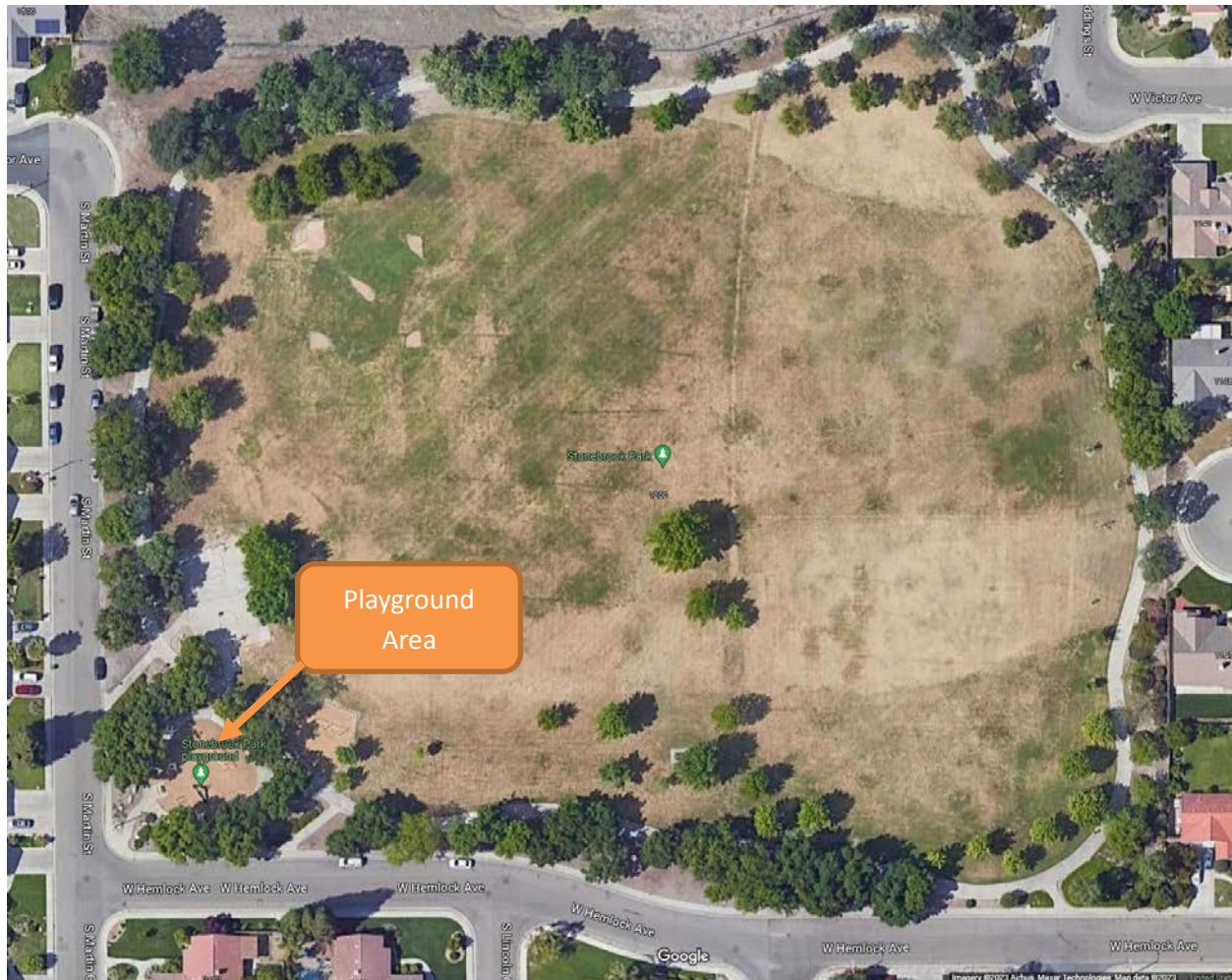
Environmental Assessment Status: N/A

CEQA Review: N/A

Deadline for Action: 9/2/2025

Attachments: Location Map, Draft Notice of Completion, Site Photos

Stonebrook Park Site Map



**Recording requested by and
Please mail instrument to:**

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291
Attn: City Engineer

***This instrument benefits City only. No fee required
per Government Code Section 6103***

Project Notice of Completion

NOTICE IS HEREBY GIVEN by the City of Visalia, a Municipal Corporation of the State of California, located at 315 E. Acequia Avenue, Visalia, California, 93291, Owner in fee of the property, that the work of improvement on the property described as:

STONEBROOK PARK SHADE STRUCTURE DESIGN & INSTALLATION SERVICES, AT VARIOUS PARKS. (PROJECT NO. 3880-72000/CP0763-999) under the contract agreement entered into with Mountain Vista Construction dated 04/15/2024, as a whole was completed on 7/29/2025 and the City of Visalia hereby accepts said work.

Christopher Crawford, City Engineer and agent of the City of Visalia, deposes and says that he has read said Notice of Completion and knows the contents thereof, and that the same is true of his own knowledge; that he makes this affidavit for and on behalf of the City of Visalia.

Date

CITY OF VISALIA

BY _____
Christopher Crawford
City Engineer

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Tulare

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20_____, by _____, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Date

Notary Signature







Visalia City Council

Staff Report

Visalia City Council
707 W. Acequia
Visalia, CA 93291

File #: 25-0367

Agenda Date: 9/2/2025

Agenda #: 4.

Agenda Item Wording:

Park Project Notice of Completion - Request authorization to file a Notice of Completion for the Sunset Park Shade Structure Design & Installation Services.

Prepared by: Daryl Tillman, Park Maintenance Supervisor 713-4435; daryl.tillman@visalia.city Alvin Dias, Parks and Facilities Manager 713-4564; alvin.dias@visalia.city Jason Glick, Parks and Recreation Director 713-4042; jason.glick@visalia.city

Department Recommendation: Staff recommends that the City Council authorize the filing of a Notice of Completion for the Shade Structure Design & Installation Services Project at Sunset Park.

Summary:

The scope of work included the design and installation of a freestanding shade structure. The contract was awarded to Bakersfield Paving Inc. at the April 15, 2024, City Council Meeting in the amount of \$151,039.84.

Background Discussion:

On March 12, 2024, and March 19, 2024, the City solicited bids by advertising in the Visalia Times Delta and the Request for Proposals (RFP) was posted on Bid-Net. The City also emailed the RFP notices to contractors who have requested to be on the City's construction projects list to participate in this bid process.

On March 27, 2024, and March 28, 2024, two mandatory pre-bid meetings were held at Sunset Park. Several contractors attended the pre-bid meetings. During the pre-bid meetings, staff reviewed the bid specifications, reviewed the mandatory requirements imposed by the State of California Department of Industrial Relations, and answered any questions.

Staff received several questions from contractors where staff carefully reviewed and answered them in a separate addendum.

On April 11, 2024, the City received two proposals from Bakersfield Paving Inc. and Anchor 41 Construction. A selection committee was formed and met on April 30, 2024.

The selection committee reviewed the designs in a two-part process. The first review of the proposals that were submitted used the design criteria that were established in RFP #23-24-12G. During their review the committee felt that the proposals submitted by Bakersfield Paving Inc. and Anchor 41 Construction had the top two designs and met the design criteria established in RFP #23-24-12G. Staff then submitted the results to the Purchasing Division and the sealed cost proposal was released to the selection committee for review. The selection committee then meet again on May 8, 2024, to review the cost for the design and concluded that the Bakersfield Paving Inc. proposal met the requirements of RFP #23-24-12G and the needs of the community.

Fiscal Impact: The fiscal impact for the Sunset Park Shade Structure Design & Installation Services Project was part of the American Rescue Plan Act (ARPA), of which \$3,900,000 was budgeted for park improvements (Project No. 3880-72000/CP0763-999). There were no change orders for the Sunset Park Project.

Sunset Park Playground Shade Structure Design & Installation Services Project CIP 3880-72000/CP0763-999	
Fund 388 - ARPA Fund	\$151,583.81
Actual Construction Costs	
Bakersfield Paving Inc.	\$151,039.84
Legal Advertisement	\$ 57.43
Building Permit	\$ 486.54
Total Project Costs	\$151,583.81

Prior Council Action: April 15, 2024 - Council authorized the City Manager to award and enter into a construction contract with Bakersfield Paving Inc. for the Shade Structure Design & Installation Services.

Other: None

Alternatives: N/A

Recommended Motion (and Alternative Motions if expected):

Move to Authorize the filing of a Notice of Completion for the Sunset Park Shade Structure Design & Installation Services Project

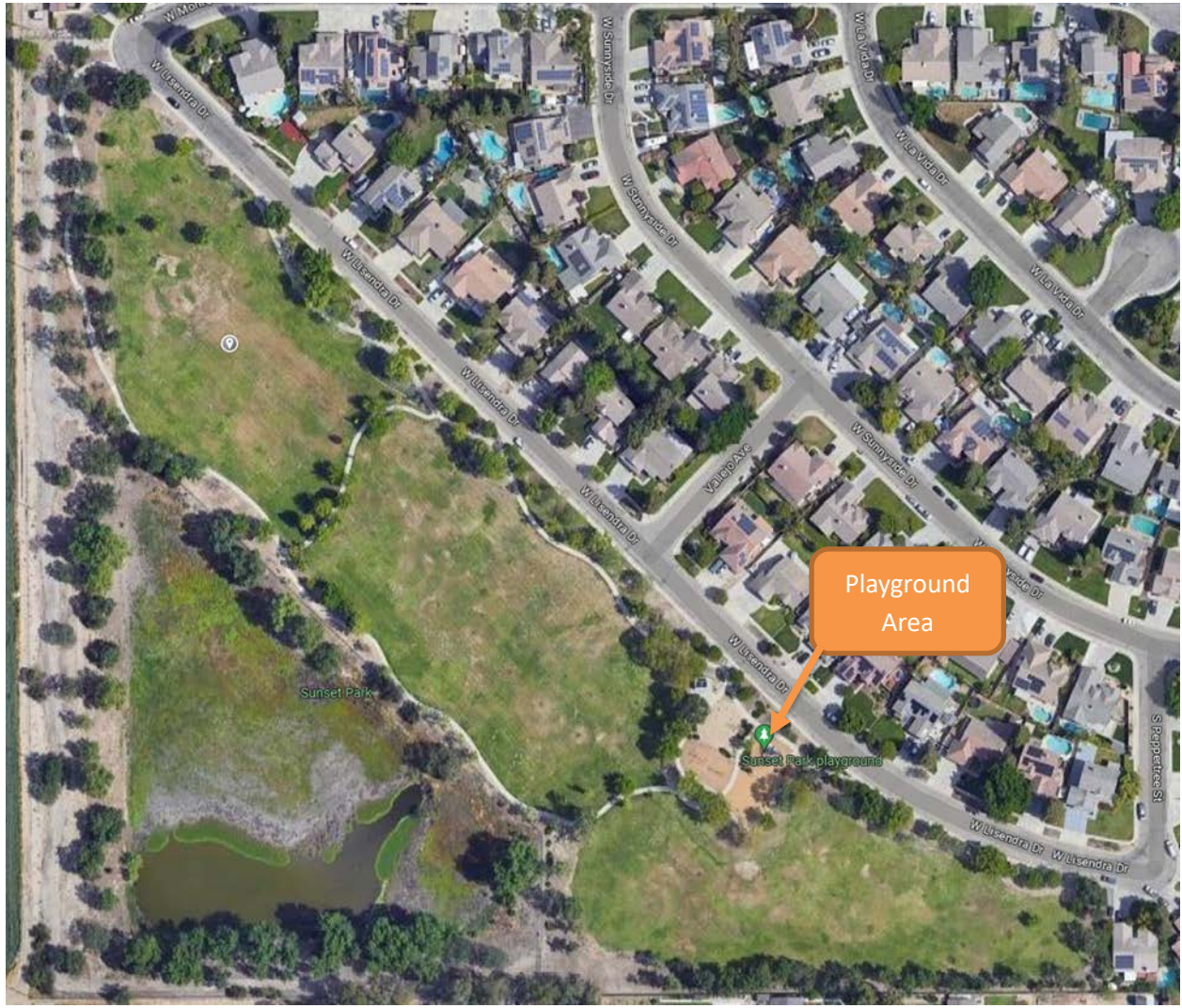
Environmental Assessment Status: N/A

CEQA Review: N/A

Deadline for Action: 9/2/2025

Attachments: Location Map, Draft Notice of Completion, Site Photos

Sunset Park Site Map



**Recording requested by and
Please mail instrument to:**

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291
Attn: City Engineer

***This instrument benefits City only. No fee required
per Government Code Section 6103***

Project Notice of Completion

NOTICE IS HEREBY GIVEN by the City of Visalia, a Municipal Corporation of the State of California, located at 315 E. Acequia Avenue, Visalia, California, 93291, Owner in fee of the property, that the work of improvement on the property described as:

SUNSET PARK SHADE STRUCTURE DESIGN & INSTALLATION SERVICES, AT VARIOUS PARKS.

(PROJECT NO. 3880-72000/CP0763-999) under the contract agreement entered into with Mountain Vista Construction dated 04/15/2024, as a whole was completed on 7/29/2025 and the City of Visalia hereby accepts said work.

Christopher Crawford, City Engineer and agent of the City of Visalia, deposes and says that he has read said Notice of Completion and knows the contents thereof, and that the same is true of his own knowledge; that he makes this affidavit for and on behalf of the City of Visalia.

Date

CITY OF VISALIA

BY _____

Christopher Crawford
City Engineer

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Tulare

Subscribed and sworn to (or affirmed) before me on this _____ day of _____,
20_____, by _____, proved to me on the basis of satisfactory evidence to be the person who
appeared before me.

Date

Notary Signature









Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0368

Agenda Date: 9/2/2025

Agenda #: 5.

Agenda Item Wording:

Park Project Notice of Completion - Request authorization to file a Notice of Completion for the Whitendale Park Shade Structure Design & Installation Services.

Prepared by: Daryl Tillman, Park Maintenance Supervisor 713-4435; daryl.tillman@visalia.city Alvin Dias, Parks and Facilities Manager 713-4564; alvin.dias@visalia.city Jason Glick, Parks and Recreation Director 713-4042; jason.glick@visalia.city

Department Recommendation: Staff recommend that the City Council authorize the filing of a Notice of Completion for the Shade Structure Design & Installation Services Project at Whitendale Park.

Summary:

The scope of work included the design and installation of a freestanding shade structure. The contract was awarded to Bakersfield Paving Inc. at the April 15, 2024, City Council Meeting in the amount of \$119,704.19.

Background Discussion:

On March 12, 2024, and March 19, 2024, the City solicited bids by advertising in the Visalia Times Delta and the Request for Proposals (RFP) was posted on Bid-Net. The City also emailed the RFP notices to contractors who have requested to be on the City's construction projects list to participate in this bid process.

On March 27, 2024, and March 28, 2024, two mandatory pre-bid meetings were held at Whitendale Park. Several contractors attended the pre-bid meetings. During the pre-bid meetings, staff reviewed the bid specifications, reviewed the mandatory requirements imposed by the State of California Department of Industrial Relations, and answered any questions.

Staff received several questions from contractors where staff carefully reviewed and answered them in a separate addendum.

On April 11, 2024, the City received three proposals from three (3) proposers. A selection committee was formed and met on April 30, 2024.

The selection committee reviewed the designs in a two-part process. The first review of the proposals that were submitted used the design criteria that were established in RFP #23-24-12E. During their review the committee felt that the proposals submitted by Bakersfield Paving Inc. and Zoom Recreation had the top two designs and met the design criteria established in RFP #23-24-12E. Staff then submitted the results to the Purchasing Division and the sealed cost proposal was released to the selection committee for review. The selection committee then meet again on May 8, 2024, to review the cost for the design and concluded that the Bakersfield Paving Inc. proposal met the

requirements of RFP #23-24-12E and the needs of the community.

Fiscal Impact: The fiscal impact for the Whitendale Park Shade Structure Design & Installation Services Project was part of the American Rescue Plan Act (ARPA), of which \$3,900,000 was budgeted for park improvements in (Project No. 3880-72000/CP0763-999). There were no change orders for the Whitendale Park Project.

Whitendale Park Playground Shade Structure Design & Installation Services Project CIP 3880-72000/CP0763-999	
Fund 388 - ARPA Fund	\$120,248.16
Actual Construction Costs	
Bakersfield Paving Inc.	\$119,704.19
Legal Advertisement	\$ 57.43
Building Permit	\$ 486.54
Total Project Costs	\$120,248.16

Prior Council Action: April 15, 2024 - Council authorized the City Manager to award and enter into a construction contract with Bakersfield Paving Inc. for the Shade Structure Design & Installation Services.

Other: None

Alternatives: N/A

Recommended Motion (and Alternative Motions if expected):

Move to Authorize the filing of a Notice of Completion for the Whitendale Park Shade Structure Design & Installation Services Project

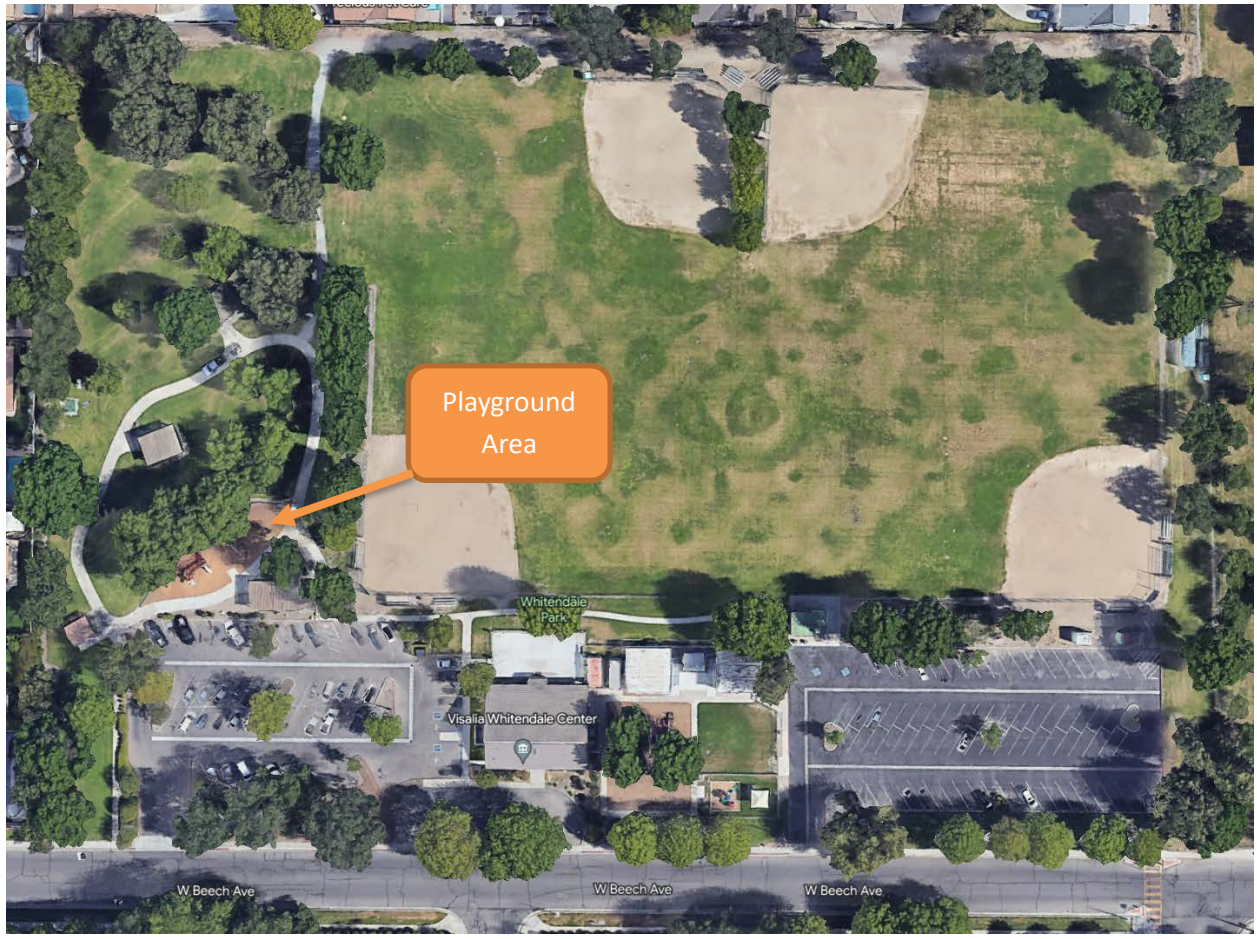
Environmental Assessment Status: N/A

CEQA Review: N/A

Deadline for Action: 9/2/2025

Attachments: Location Map, Draft Notice of Completion, Site Photos

Whitendale Park Site Map



**Recording requested by and
Please mail instrument to:**

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291
Attn: City Engineer

***This instrument benefits City only. No fee required
per Government Code Section 6103***

Project Notice of Completion

NOTICE IS HEREBY GIVEN by the City of Visalia, a Municipal Corporation of the State of California, located at 315 E. Acequia Avenue, Visalia, California, 93291, Owner in fee of the property, that the work of improvement on the property described as:

WHITENDALE PARK SHADE STRUCTURE DESIGN & INSTALLATION SERVICES, AT VARIOUS PARKS. (PROJECT NO. 3880-72000/CP0763-999) under the contract agreement entered into with Mountain Vista Construction dated 04/15/2024, as a whole was completed on 7/29/2025 and the City of Visalia hereby accepts said work.

Christopher Crawford, City Engineer and agent of the City of Visalia, deposes and says that he has read said Notice of Completion and knows the contents thereof, and that the same is true of his own knowledge; that he makes this affidavit for and on behalf of the City of Visalia.

Date

CITY OF VISALIA

BY _____
Christopher Crawford
City Engineer

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Tulare

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20_____, by _____, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Date

Notary Signature







Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0376

Agenda Date: 9/2/2025

Agenda #: 6.

Agenda Item Wording:

Approval of Public Transportation Agency Safety Plan - Approval of the Public Transportation Agency Safety Plan (PTASP) and authorize the City Manager to sign on behalf of Visalia Transit and to annually review and approve.

Submitting Department: Administration - Transit Division

Prepared by:

Caleb Bowman, Transit Management Analyst, Caleb.Bowman@visalia.city, (559)713-4594

Angelina Baker, Transit Manager, Angelina.Baker@visalia.gov, (559)713-4591

John Lollis, Assistant City Manager, John.Lollis@visalia.city, (559)713-4323

Department Recommendation:

Staff recommends that the City Council approve the draft Public Transportation Agency Safety Plan (PTASP) and authorize the City Manager to sign on behalf of Visalia Transit and to annually review and approve.

Summary:

In compliance with Federal Transit Administration (FTA) regulations, City staff has developed a new PTASP in conjunction with the new contractor RATP Dev USA (RATP). The previous adopted PTASP was developed in conjunction with the previous contractor Transdev, then First Transit, which included policies and procedures specific to First Transit. This is a draft PTASP since staff is waiting on data from the prior fiscal year, July 2024 through June 2025, for actual counts and to estimate the Fiscal Year 2025-26 targets, however, the policies and procedures will not change.

Background Discussion:

On July 19, 2018, the FTA published the PTASP Final Rule, which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area (UZA) Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). The FTA published a Notice of Enforcement Discretion on April 22, 2020, effectively extending the PTASP compliance deadline from July 20, 2020 to December 31, 2020. The rule applies to all operators of public transportation systems that are recipients and sub-recipients of federal financial assistance under the UZA Formula Program (49 U.S.C. § 5307).

Visalia Transit is required by the FTA to have a PTASP as recipients of federal funding. The plan was developed in conjunction with RATP policies and procedures, since they operate Visalia Transit's service. Although RATP policies and procedures, it is the City's sole responsibility to hold the contractor accountable and ensure the safety plan is being followed. The PTASP addresses both Visalia Transit's and the contractor's staff roles and responsibilities, safety and training policies, reporting and communication of incidents, and safety performance targets.

Reviewing safety practices is an ongoing process as policies/procedures and training techniques change over time and changes are communicated throughout the organization. All changes throughout the year are reviewed and approved by the City's Transit Manager and the contractor's General Manager. The beginning of each fiscal year (July 1st), Visalia Transit's PTASP is reviewed by Transit management and revised based on the safety data collected and analyzed, and changes to policies and procedures made throughout the year by either Visalia Transit or the contractor. The plan will be reviewed and approved annually by the City's Transit Manager and City Manager no later than August 20th of each year starting in 2026. New safety performance targets will be created during the annual review process. The approved PTASP, including the safety performance targets, will be transmitted to the California Department of Transportation (Caltrans) and the Tulare County Association of Governments (TCAG) by September 1st of each year.

Fiscal Impact: N/A

Prior Council Action:

December 21, 2020: Approval of the Public Transportation Agency Safety Plan

Other: N/A

Alternatives: N/A

Recommended Motion (and Alternative Motions if expected):

I move to approve the draft Public Transportation Agency Safety Plan and authorize the City Manager to sign on behalf of Visalia Transit and to annually review and approve.

Environmental Assessment Status: N/A

CEQA Review: N/A

Deadline for Action: 9/2/2025

Attachments: Draft Public Transportation Agency Safety Plan

Visalia Transit

Public Transit Agency Safety Plan



1. Transit Agency Information

The Transit Manager is ultimately accountable for ensuring that SMS is implemented throughout Visalia Transit in accordance with this Public Transportation Agency Safety Plan (ASP). Additionally, the Transit Manager is accountable for ensuring action is taken to address substandard performance in Visalia Transit's SMS when required. The Transit Management Analyst has been designated as the Safety Officer by and reporting directly to the Transit Manager. The Transit Management Analyst has been empowered with responsibility for day-to-day implementation and operation of Visalia Transit's SMS.

Transit Agency Name	Visalia Transit – Operated by RATP Dev USA			
Transit Agency Address	425 E. Oak Ave., Ste. 301 Visalia, CA 93291			
Name and Title of Accountable Executive	Angelina Baker, Transit Manager			
Name and Title of Chief Safety Officer	Caleb Bowman, Transit Management Analyst			
Mode(s) of Service Covered by This Plan	Fixed Route Bus Service, On-Demand Bus Service, Commuter Bus Service	List All FTA Funding Types (e.g., 5307, 5310, 5311)	CARES, 5307, 5311(f), 5310, LCTOP, LFT	
Mode(s) of Service Provided by the Transit Agency	Visalia Transit provides Fixed Route Bus Service (Visalia Transit), On-Demand Service (Dial-A-Ride & Visalia Connect), and Commuter Bus Service (V-Line) which is operated by our contractor.			
Does the agency provide transit services on behalf of another transit agency or entity?	Yes X	No	Description of Arrangement(s)	Visalia Transit provide fixed route public bus service for local cities and county government in the region which is operated by our contractor.
Name and Address of Agency(ies) or Entity(ies) for Which Service Is Provided	City of Exeter Attn: Jason Ridenour, City Manager jridenour@exetercityhall.com 350 W. Firebaugh Exeter, CA 93221 City of Farmersville Attn: Daymon Qualls, City Manager DQualls@cityoffarmersville-ca.gov 909 W. Visalia Rd. Farmersville, CA 93223 Tulare County Regional Transit Agency Attn: Derek Winning, Executive Director			

Visalia Transit

Public Transit Agency Safety Plan



	DWinning@tularecag.ca.gov 200 E. Center Ave Visalia, CA 93291
Service Area	Small Urban
Census Tract Number(s)	06107001003 06107001100 06107001400

2. Contractor Information

Contractor's Name	RATP Dev USA
Operating Location Address	525 N. Cain St. Visalia, CA 93292
General Manager	Edward Van Heel
Assistant General Manager/Operations Manager	Jenny Gaitan
Safety & Training Manager	Feleicia "Danielle" Bratcher
Maintenance Manager	Joseph Olaerts

3. Plan Development, Approval, and Updates

This Agency Safety Plan addresses all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan.

Name of Entity That Drafted This Plan	Caleb Bowman, Transit Management Analyst, Visalia Transit	
Signature by the City's Accountable Executive	Signature of Accountable Executive	Date of Signature
	Angelina Baker, Transit Manager	
Approval by the Board of Directors or an Equivalent Authority	City of Visalia, City Manager	Date of Approval
	Leslie Caviglia, City Manager	

	City Council Agenda Item Number	Meeting Date of Approval
	Public Transportation Agency Safety Plan, Relevant Documentation and Location A copy of the approved Public Transportation Agency Safety Plan and relevant documents will be maintained on the City of Visalia's Transit drive in the PTASP folder and maintained by the Transit Manager and Transit Management Analyst for City of Visalia - Transit.	

Version Number and Updates

Record the complete history of successive versions of this plan.

Version Number	Section/Pages Affected	Reason for Change	Date Issued
1.0		New Document	September 2025

Annual Review and Update of the Public Transportation Agency Safety Plan

Describe the process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan.

At Visalia Transit, review of safety practices is an ongoing process, not one limited to scheduled reviews. As policies/procedures and training techniques change throughout the year they are updated and communicated throughout the organization. All changes are reviewed and approved by Visalia's and Contractor's Accountable Executives.

Each fiscal year, Visalia Transit's Public Transportation Agency Safety Plan (PTASP) is reviewed by management and revised based on the safety data collected and analyzed, and changes to policies and procedures made throughout the year by Visalia Transit or Contractor. The final annual revision will be reviewed and approved by the Safety Committee and then by Visalia Transit's Accountable Executive (Transit Manager) by August 1st of each year. The revised PTASP will be forwarded to the City Manager for review, approval, and certification. The PTASP should be approved no later than August 20th of each year.

The Contractor's Annual Review and Update of their PTASP is included in **Attachment A, section 2.0**.

4. Annual Safety Performance Targets

Safety Performance Targets

Specify performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.

Visalia Transit

Public Transit Agency Safety Plan



The targets below are based on the previous 4 years of Visalia Transit safety performance data reported to NTD.

Safety Performance Target: Major Events

The FTA NTD Policy Manual specifies reporting thresholds for minor and major safety events. Additionally, major events are considered any safety or security event that meet the threshold as outlined in **Attachment A, section 3.2**. The vehicular collision rate will include collisions with all forms of motorized vehicles (cars, buses, motorcycles, etc.).

	Fixed-Route		Commuter		Demand Response	
	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets
Major Events (Total)						
Major Events Rate (per 100K VRM)						
Collisions Events (Total)						
Collision Rate (per 100K VRM)						
Pedestrian Collision Events (Total)						
Pedestrian Collision Rate (per 100K VRM)						
Vehicular Collision Events (Total)						
Vehicular Collision Rate (per 100K VRM)						

Safety Performance Target: Fatalities

In accordance with the FTA NTD Policy Manual, Visalia Transit tracks the total number of overall fatalities and transit worker fatalities resulting from safety or security events, excluding those that occur because of illnesses, drug overdoses, or other natural causes (including individuals who are found deceased). Fatalities are tracked as a hard count with performance tracked monthly and cumulatively.

	Fixed-Route		Commuter		Demand Response	
	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets
Fatalities (Total)						
Fatality Rate (per 100K VRM)						
Transit Worker Fatality (Total)						

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Transit Worker Fatality Rate (per 100K VRM)						
Safety Performance Target: Injuries In accordance with the NTD Policy Manual, an injury is defined as an employee, passenger, or third-party experiencing harm that required immediate medical attention away from the scene because of safety event. The FTA tracks injury frequency rates (IFR) rates include employees, passengers, pedestrians, and third-party injuries and the FTA's transit worker injury rate is specific to all transit employees.						
	Fixed-Route		Commuter		Demand Response	
	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets
Injuries (Total)						
Injury Rate (per 100K VRM)						
Transit Worker Injuries (Total)						
Transit Worker Injury Rate (per 100K VRM)						
Safety Performance Target: Assaults on Transit Workers The overall transportation industry is experiencing a growing trend in assaults on transit workers, especially operators. The NTD Policy Manual defines a transit worker assault as a circumstance in which an individual knowingly interferes with, disables, or incapacitates a transit worker while the transit worker is performing their duties.						
	Fixed-Route		Commuter		Demand Response	
	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets
Assaults on Transit Workers (Total)						
Rate of Assaults on Transit Workers (per 100K VRM)						
Safety Performance Target: System Reliability In accordance with NTD Policy Manual, system reliability is measured based on the number of major mechanical failures experienced, which is defined as failure of some mechanical element of the revenue vehicle not caused by a collision, natural disaster, or vandalism, which prevent a vehicle from completing or starting a scheduled revenue trip because actual movement is limited or because of safety concerns.						
	Fixed-Route		Commuter		Demand Response	
	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets	FY24/25 Data	FY25/26 Targets
System Reliability (Total)						

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System Reliability Rate (per 100K VRM)			
Safety Performance Target Coordination			
<p>Every year after its formal adoption by the City Manager, the Transit Manager will share the PTASP, including safety performance targets with the State of California (Caltrans) and our Metropolitan Planning Organization, the Tulare County Association of Governments (TCAG) no later than September 1st. Department personnel will be readily available to coordinate with the State of California and TCAG in the selection of safety performance targets upon request.</p>			

5. Coordination with Metropolitan, Statewide, and Non-metropolitan Planning Processes

	State Entity Name	Date Targets Transmitted
Targets Transmitted to the State	State Entity: Caltrans Division of Rail and Mass Transportation	
	State Entity Contact which receives performance numbers: Brian Travis, Senior Transportation Planner	
Targets Transmitted to the Metropolitan Planning Organization(s)	Metropolitan Planning Organization Name	Date Targets Transmitted
	MPO: Tulare County Association of Governments	
	MPO Contact which receives performance numbers: Giancarlo Bruno, Associate Regional Planner	

6. Safety Management Policy

Safety Management Policy Statement
<i>Include the written statement of safety management policy, incorporating safety objectives.</i>
<p>At Visalia Transit, safety is more than a policy statement we are committed to ensuring the safety and well-being of its employees, contractors, contractor's employees, and passengers. Management believes that working safely promotes quality, productivity, and profitability. Prevention of collisions and personal injuries is of critical importance to everyone. Management is committed to providing a safe workplace, proper training, protective equipment, and a work environment conducive to safe practices and policies as well as ensuring availability of necessary resources and people to implement SMS effectively.</p> <p>It is the policy of Visalia Transit to comply with all applicable occupational safety and health regulations and to establish guidelines and procedures for the maintenance of an on-going PTASP. This is accomplished</p>

through safety and health inspections, employee training, and accident investigation. Response to safety concerns will be given the highest priority at every level of the Visalia Transit structure.

The Contractor's Safety Management Policy Statement is included in **Attachment A, section 4.1**.

Safety Management Policy Communication

Describe how the safety management policy is communicated throughout the agency's organization. Include dates where applicable.

Local Communication of Safety Concerns

The Contractor's Safety and Training Manager (CSTM) is at the center of the safety communication process and is responsible for compiling safety reports to include the following:

- Accident and injury data
- Security incident data
- Near miss and hazard reporting
- Collision incident data
- Safety and security audit data and recommendations
- Safety Committee (SC) meeting minutes

The CSTM reports directly to the Contractor's General Manager (CGM) and routinely meets formally with the CGM, one-on-one, and Visalia Transit's Chief Safety Officer (CSO) to provide updates on safety issues, safety priorities, and hazard management. The CSTM also meets informally with the CGM and CSO to provide updates on safety issues on an as-needed basis.

Per our contract with the Contractor, the CSTM is responsible to inform the CSO of any accident, incident, or any other safety issues immediately. Reports and video are to be provided to CSO within 48 hours of the event.

The CSTM also participates in the SC meetings to discuss safety priorities, safety issues, and hazard management, and to communicate safety-related information across all departments.

The Contractor's Safety Management Policy Communication is included in **Attachment A, section 4.2**.

Authorities, Accountabilities, and Responsibilities

Describe the authorities, accountabilities, and responsibilities of the following individuals for the development and management of the transit agency's Safety Management System (SMS).

<p>Accountable Executive</p>	<p>Visalia Transit: Angelina Baker, Transit Manager</p> <p>The Accountable Executives has the following authorities, accountabilities, and responsibilities under this plan:</p> <ul style="list-style-type: none"> • Controls and directs human and capital resources needed to develop and maintain the ASP and SMS. • Designates an adequately trained Chief Safety Officers who are a direct report. • Ensures that the SMS is effectively implemented.
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	<ul style="list-style-type: none"> Ensures action is taken to address substandard performance of the SMS. Assumes ultimate responsibility for carrying out the ASP and SMS. Maintains responsibility for carrying out the agency's Transit Asset Management Plan.
Chief Safety Officer or SMS Executive	<p>Visalia Transit: Caleb Bowman, Transit Management Analyst</p> <p>The Accountable Executive designates the Chief Safety Officers. The Chief Safety Officers have the following authorities, accountabilities, and responsibilities under this plan:</p> <ul style="list-style-type: none"> Develops the ASP and SMS policies and procedures. Ensures and oversees implementation and operation of the SMS. Manages the Employee Safety Reporting Program (ESRP). Attends the Safety Committee Meeting Advises the Accountable Executives on SMS progress and status. Identifies substandard performance in the SMS and develops action plans for approval by the Accountable Executive. Ensures that policies are consistent with the safety objectives. Provides Safety Risk Management (SRM) expertise and support for other personnel who conduct and oversee Safety Assurance activities.
Contractor's Leadership and Executive Management	<p>Contractor: Edward Van Heel, General Manager Jenny Gaitan, Assistant General Manager/Operations Manager Feleicia "Danielle" Bratcher, Safety and Training Manager Joseph Olaerts, Maintenance Manager</p> <p>The Contractor's Leadership and Executive Management also have authorities and responsibilities for day-to-day SMS implementation and operation of the SMS under this plan.</p> <p>Contractor's Leadership and Executive Management personnel have the following authorities, accountabilities, and responsibilities:</p> <ul style="list-style-type: none"> Participate as members of safety committees. Complete training on SMS and ASP elements. Oversee day-to-day operations of the SMS in their departments. Modify policies in their departments consistent with implementation of the SMS, as necessary. Chairs the Safety Committee Meeting and (Safety & Training Manager only) <ul style="list-style-type: none"> Coordinates the activities of the committee;

	<ul style="list-style-type: none">○ Establishes and maintains the Safety Risk Register and Safety Event Log to monitor and analyze trends in hazards, occurrences, incidents, and accidents; and○ Maintains and distributes minutes of committee meetings.● Provide subject matter expertise to support implementation of the SMS as requested by the Accountable Executives or the Chief Safety Officers, including SRM activities, investigation of safety events, development of safety risk mitigations, and monitoring of mitigation effectiveness. <p>The Contractor’s Necessary Authorities, Accountabilities, and Responsibilities is included in Attachment A, section 4.3.</p>							
Additional Accountability	<p>AE: Visalia Transit’s Accountable Executive</p> <p>CSO: Visalia Transit’s Chief Safety Officer</p> <p>CGM: Contractor’s General Manager</p> <p>CAGM: Contractor’s Assistant General Manager/Operations Manager</p> <p>CSTM: Contractor’s Safety & Training Manager</p> <p>CMM: Contractor’s Maintenance Manager</p> <p>CHR: Contractor’s Human Resources</p>							
	Safety Responsibility and Task Matrix							
	Responsibilities and Tasks	AE	CSO	CGM	CSTM	CAGM	CMM	CHR
	Establish annual safety objectives for submission to the CGM and Visalia Transit at the beginning of each fiscal year	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Submit a report on the safety performance at the end of each fiscal period to CGM and Visalia Transit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Submit the following: period operations and safety data; accident and incident reports; and site safety review results	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	The CGM or their designee has the authority to direct that work or conditions have been determined to be	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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	unsafe or pose a hazard to customers, employees, Contractor's employees, the general public, or endangers the safe passage of buses be suspended or restricted until the unsafe condition or hazard can be mitigated or corrected							
	Management of system safety, occupational health and safety, accident and incident investigation, environmental protection and monitoring the implementation of the Safety Management System (SMS) Program Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Review of all safety aspects of departmental procedures including Contractor's policies/instructions; Standard Operating Procedures; HR policies; safety and health policies	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	SMS Review and Modification	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Safety Committee Meetings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Daily Safety & Health Walkthrough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Safety related reports to external agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Near miss and route hazard report investigations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Investigation of safety related trends	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Coordination with United States and State Departments of Labor and Occupational Safety and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Health Administration (OSHA)							
	Environmental Management Oversight	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hazard Management Process	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Managing Safety Validation of Change Process	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Safety Data Reporting	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Investigations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Advise to update SOPs, Rules, and Emergency Plans	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Emergency Response	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shop Safety Hazardous Tools Inspections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Review Vehicle Maintenance and Failure Data	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Perform Vehicle Maintenance Inspections/Audits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Training, Certification, Review, and Audit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Personal Protective Equipment Review	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hazardous Materials Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Drug and Alcohol Abuse Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Procurement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Contractor's Necessary Authorities, Accountabilities, and Responsibilities is included in Attachment A, section 4.3.								

Employee Safety Reporting Program

Describe the process and protections for employees to report safety conditions to senior management. Describe employee behaviors that may result in disciplinary action (and therefore, are excluded from protection).

Visalia Transit Management has an open-door policy for all City, contractors', and subcontractors' management and employees can communicate safety concerns without the threat of retaliation; all personal information is kept confidential to the extent possible.

The Contractor's Employee Voluntary Safety Reporting Program is included in **Attachment A, section 4.4.**

7. Safety Risk Management

Safety Risk Management Process

Describe the Safety Risk Management process, including:

- *Safety Hazard Identification: The methods or processes to identify hazards and consequences of the hazards*
- *Safety Risk Assessment: The methods or processes to assess the safety risks associated with identified safety hazards*
- *Safety Risk Mitigation: The methods or processes to identify mitigations or strategies necessary as a result of safety risk assessment*

Safety management is at the core of everything done at Visalia Transit. All employees and contractors are responsible for performing their jobs in a safe manner, which includes identifying safety risks and participating in developing and implementing effective mitigation techniques.

Safety Risk Identification

Methods or processes to identify hazards and potential consequences of the hazards.

The Contractor's Safety Risk Identification is included in **Attachment A, section 5.1.**

Safety Risk Assessment

Methods or processes to assess the safety risk associated with identified hazards.

The Contractor's Safety Risk Assessment is included in **Attachment A, section 5.2.**

Safety Risk Assessment

Methods or processes to assess the safety risk associated with identified hazards.

The Contractor's Safety Risk Mitigation is included in **Attachment A, section 5.3.**

8. Safety Assurance

Safety Performance Monitoring and Measurement

Describe activities to monitor operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended.

Visalia Transit requires the Contractor to have a resident Management Team who reports to the Chief Safety Officer. This team consists of a General Manager and a Safety Manager, who oversee the safety of the operation.

Additionally, each Contractor shall employ a Street Supervisors, Dispatchers, and Instructors; all of whom are responsible for oversight of the daily operations and training. All safety risks identified are reported to the General Manager and Safety Manager who will relay necessary information back to Visalia Transit. Any risks that can be addressed immediately are corrected but still reported. Visalia Transit's Contractor also establishes a Safety Committee (SC) that includes AE, CSO, or their designee, which uses the following methodologies to ensure a proactive approach to safety.

- Routine hazard management
- Accident and incident investigation
- Safety data collection and analysis
- Routine internal safety audits
- Facility, equipment, systems and vehicle inspections
- Routine proficiency checks for all vehicle operators and maintenance employees
- Compliance evaluations including onsite inspections
- Regularly communicating safety and hazard data to all employees

The Contractor's Safety Assurance is included in **Attachment A, section 6.1.**

Safety and Security Event Reporting and Investigation

Describe activities to conduct investigations of safety events to identify causal factors.

Visalia Transit has a "zero" tolerance for preventable injuries and collisions. Elimination of preventable injuries and collisions is our number one goal.

Any injury, collision or incident that occurs is investigated to determine preventability or non-preventability. Per our contract, The CSTM shall report any injury, collision or incident that occurs immediately to the AE and CSO. Reports and video are to be provided to CSO within 48-hours of the event. Investigations include all instances in which:

- a vehicle was damaged
- a vehicle leaves the traveled roadway
- property/structure was damaged
- a passenger is injured
- an employee is injured or
- an assault occurs aboard a bus or at a stop location

The Contractor's Safety and Security Event Reporting and Investigation is included in **Attachment A, section 6.2.**

Describe activities to monitor information reported through internal safety reporting programs.

The Contractor's Safety Manager (CSM) and/or Contractor's General Manager (CGM) routinely review all safety and hazard data, which includes searching for repetitive events that might have safety implications. When accident/incident reports and statistics indicate repetitive accidents/incidents, the CSM and CGM investigate to determine the root cause and report findings to CSO.

The Contractor's Safety and Security Event Reporting and Investigation is included in **Attachment A, section 6.2.**

Management of Change

Describe the process for identifying and assessing changes that may introduce new hazards or impact safety performance.

The Contractor's Management of Change is included in **Attachment A, section 6.3.**

Continuous Improvement

Describe the process for assessing safety performance. Describe the process for developing and carrying out plans to address identified safety deficiencies.

The Contractor's Continuous Improvement is included in **Attachment A, section 6.4.**

9. Safety Promotion

Competencies and Training

Describe the safety training program for all agency employees and contractors directly responsible for safety.

Visalia Transit requires the Contractor to implement a safety training program for all new hires in addition to regular monthly safety training for all employees. Visalia Transit Management attends at least two (2) monthly safety trainings per year.

The Contractor's Safety Competencies and Training is included in **Attachment A, section 7.2.**

Safety Communication

Describe processes and activities to communicate safety and safety performance information throughout the organization.

The Contractor's Safety Communication is included in **Attachment A, section 7.3.**

10. Additional Information

Supporting Documentation

Include or reference documentation used to implement and carry out the Safety Plan that are not included elsewhere in this Plan.

1. 49 CFR Part 670 Public Transportation Safety Program
2. 49 CFR Part 673 Public Transportation Agency Safety Plan
3. National Public Transportation Safety Plan (April 2024)

11. Definitions of Special Terms Used in the Safety Plan

Visalia Transit incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

Term	Definition
Accident	An Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.
Accountable Executive	A single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.
Chief Safety Officer The CSO	Has the authority and responsibility for day-to-day implementation and operation of the agency's SMS. Recipients and subrecipients to which the rule applies must have approved plans by December 31, 2020.
Equivalent Authority	An entity that carries out duties similar to that of a Board of Directors for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.
Event	Any Accident, Incident, or Occurrence.
Hazard	Any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
Incident	An event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.
Injury	Any harm to persons as a result of an event that requires immediate medical attention away from the scene.
Investigation	The process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.

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National Public Transportation Safety Plan	The plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
Occurrence	An Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.
Operator	A public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.
Performance Measure	An expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
Performance Target	A quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.
Public Transportation Agency Safety Plan (PTASP or Agency Safety Plan)	The documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.
Risk	The composite of predicted severity and likelihood of the potential effect of a hazard.
Risk Mitigation	A method or methods to eliminate or reduce the effects of hazards.
Safety	Freedom from unintentional harm.
Safety Assurance	The processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
Safety Event	An unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
SMS Executive	Chief Safety Officer or equivalent that is an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer.
Safety Management Policy	A transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.
Safety Management System	The formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.
Safety Performance Target	A performance target related to safety management activities.
Safety Promotion	A combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

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Safety Risk	The composite of predicted likelihood and severity of a potential consequence of a hazard.
Safety Risk Assessment	The formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
Safety Risk Management	A process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.
Safety Risk Mitigation	A method(s) to eliminate or reduce the likelihood and severity of a potential consequence of a safety risk.
Security	Freedom from intentional harm.
Transit Agency	An operator of a public transportation system.
Transit Asset Management Plan	The strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.
Transit Worker	Any employee, contractor, or volunteer working on behalf of the public transit agency.

12. List of Acronyms Used in the Safety Plan

Acronym	Word or Phrase
ADA	Americans with Disabilities Act
ARC	Accident Review Committee
ASP	Agency Safety Plan
BTW	Behind-the-Wheel
CBA	Collective Bargaining Agreement
CDL	Commercial Driver's License
CEO	Chief Executive Officer
CPO	Chief People Officer
DOT	Department of Transportation
DUI	Driving Under the Influence
DWI	Driving While Intoxicated
ESC	Executive Safety Committee

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EXCO	Executive Council
F.O.R.M.	First Occupational Rehabilitation Management
FTA	Federal Transit Administration
GM	General Manager
HR	Human Resources
KPI	Key Performance Indicator
LGM	General Manager
LOTO	Lock-Out/Tag-Out
LSM	Location Safety Manager
MIL-STD	Military Standard
MNT	Maintenance
OPS	Operations
OSHA	Occupational Safety & Health Administration
PPE	Personal Protective Equipment
PRM	Performance Review Management
PTASP	Public Transportation Agency Safety Plan
SM	Safety Manager
SMS	Safety Management System
SOP	Standard Operating Procedure
SRC	Safety Resource Center
SST	Safety Solutions Team
SVP	Senior Vice President
TAPTCO	Transit and Paratransit Company
UK	United Kingdom
VP	Vice President



Public Transportation Agency Safety Plan



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RELEASE/VERSION
3.0

RELEASE/VERSION DATE:
February 10, 2025

CONTENT OWNER:
Department of Safety
RATP Dev USA

Attachment A (Continued)

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Approvals

RATP Dev USA Public Transportation Agency Safety Plan

February, 2025

01-SMS-GSF-002

Jim
Wojciechowski

Digitally signed by Jim Wojciechowski
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Security

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Chief Development Officer

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Chief Financial Officer

Stacy
Winsett

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Bill Plisga

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Bill Plisga
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Steve
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Chief Executive Officer

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Safety Management Policy Letter

February 2025

Dear RATP Dev USA Teammates,

Our mission is to move the country through safe, equitable, reliable, and cost-effective public transportation. Safety is a core value and to accomplish our mission we are committed to implementing a world class, industry-leading Safety Management System (SMS) that is designed to proactively manage and reduce safety risks. Simply put, we take action before accidents or injuries (known as safety and security events) have the opportunity to occur.

To continue advancing safety throughout RATP Dev USA, we are publishing a new Safety Management Policy and Public Transportation Agency Safety Plan that clearly states what “being safe” really means to us. Being safe is an intentional and disciplined level of performance that we strive to achieve every day. The key principles are:

- 1) We **understand our safety and security risks**, what is being done about them, and how well our actions are working.
- 2) We take **proactive action** to reduce safety and security risks and **prevent** safety and security events from occurring.
- 3) We **apply lessons learned** from our performance and make **continuous** safety and security improvements.
- 4) We are **encouraged and empowered to voice safety and security concerns** across all levels of the company without fear of reprisal.

By living these principles, we keep passengers, pedestrians, third parties, each other, and our assets free from harm and deliver on our promise to provide the communities we serve with safe, equitable, reliable, and cost-effective public transportation. Take a moment to reflect and renew your commitment to living our values, starting with safety.

Jim
Wojciechowski

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Jim Wojciechowski
Senior Vice President of
Safety and Industrial
Engineering

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James

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Francine James
Vice President of Safety
and Security

Debra
Martinez

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Debra Martinez
Chief Financial Officer

Ibrahima
Toure

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Ibrahima Toure
Chief Development
Officer

Stacy
Winsett

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Stacy Winsett
Chief People Officer

Matthew
Booterbaugh

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Matt Booterbaugh
Chief Executive Officer

1.0 Transit Agency Information

The CEO is ultimately accountable for ensuring that SMS is implemented throughout RATP Dev USA in accordance with this Public Transportation Agency Safety Plan (ASP). Additionally, the CEO is accountable for ensuring action is taken to address substandard performance in RATP Dev USA's SMS when required. The Senior Vice President (SVP) of Safety and Industrial Engineering has been designated as the SMS Executive by and reports directly to the CEO. The SVP of Safety and Industrial Engineering is a safety professional that has been adequately trained, holding both the U.S. Department of Transportation (DOT) Transit Safety and Security Program (TSSP) and Public Transportation Safety Certification Training Program (PTSCTP) certificates (among other credentials). The SVP of Safety and Industrial Engineering has been empowered with the responsibility for day-to-day implementation and operation of RATP Dev USA's SMS.

Transit Agency Name	RATP Dev USA		
Transit Agency Address	300 Throckmorton Street, Suite 670, Fort Worth, TX 76102		
Name and Title of Accountable Executive	Matt Booterbaugh, Chief Executive Officer at RATP Dev USA		
Name and Title of Chief Safety Officer or SMS Executive	Jim Wojciechowski, Senior Vice President of Safety and Industrial Engineering at RATP Dev USA		
Mode(s) of Service Covered by This Plan	Rail, Bus, and Paratransit	List All FTA Funding Types (e.g., 5307, 5337, 5339)	N/A
Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)	Directly operate and maintain bus, rail, and paratransit modes as a private contractor.		
Does the agency provide transit services on behalf of another transit agency or entity?	Yes X	No	Description of Arrangement(s) RATP Dev USA operates 35 contracts throughout North America to provide fixed-route, paratransit, and rail services for transit agencies; national parks, and other entities.
Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided	The full listing of our clients can be found at https://www.ratpdevusa.com/references		

Attachment A (Continued)

2.0 Plan Development, Approval, and Updates

Name of Entity That Drafted This Plan	Jim Wojciechowski, SVP of Safety and Industrial Engineering	
Signature by the Accountable Executive	Signature of Accountable Executive	Date of Signature
	Refer to Approvals (page i)	TBD
Approval by the Board of Directors or an Equivalent Authority	Name of Individual/Entity That Approved This Plan	Date of Approval
	Refer to Approvals (page i)	TBD
	Relevant Documentation (Title and Location)	
	Refer to 01-SMS-SF-001 Safety Management Policy	
Certification of Compliance	Name of Individual/Entity That Certified This Plan	Date of Certification
	RATP Dev USA self-certifies at corporate level by approving this ASP annually	N/A
	Relevant Documentation (Title and Location)	
	N/A	

Version Number and Updates			
<i>The complete history of successive versions of this plan.</i>			
Version Number	Section/Pages Affected	Reason for Change	Date Issued
1.0	New document	First version of Public Transportation Agency Safety Plan under 49 CFR Part 673.	Feb 2021
2.0	2, 3, 4, 6, 7, 12, 13, 14, 20, 25, 26, 28, 29, 31	2023 update	Mar 2023
3.0	Entire document	2025 update, which is a complete refresh in alignment with leadership change at the CEO and Safety levels.	Feb 2025

Attachment A (Continued)

Annual Review and Update of the Public Transportation Agency Safety Plan		
Timeline	Activity or Milestone	Responsibility
January 1 to December 31	ASP is made available year-round on RATP Dev USA's Safety Resource Hub for review and comment. Comments are also accepted directly through email and other means.	The VP of Safety and Security ensures the document is posted and ensures the opportunity to review and provide feedback is promoted. All comments (regardless of how they are received) will be captured and considered for incorporation as part of the annual revision cycle.
Dec 1-31	Conduct general review and draft ASP revision	The VP of Safety and Security will perform an inventory of inputs resulting from comments made, investigations, policy changes, safety action plans, and other sources. This review will include partnering with Human Resources and Operations to ensure interconnected policies, procedures, work instructions, job responsibilities (etc.) that may be affected are accounted for and addressed.
Jan 1-15	Finalize ASP draft	After the final performance data for the year has been processed, the VP of Safety and Security will finalize the ASP draft by updating the proposed safety performance targets.
Jan 15-31	Executive Council (EXCO) comment period	The proposed draft ASP revision is submitted to the EXCO for their review with feedback sent back to the VP of Safety and Security.
Feb 1-15	Finalize ASP Revision	The VP of Safety and Security ensures comments received on the proposed draft ASP revision are addressed.
Feb 16-29	EXCO review and approval period	A final review is conducted to ensure all required feedback has been addressed. The CEO and EXCO approve the ASP.
Mar 1	ASP Revision Published	The VP of Safety and Security partners with Business Development and Marketing to communicate, distribute, and promote the publishing of the latest ASP and to ensure safety training and New Employee Orientation are updated (along with other training courses, as applicable).

3.0 Safety Performance Targets

Safety performance targets are set in alignment with the FTA’s guidance as specified in the National Transportation Safety Plan. RATP Dev USA’s safety performance targets are established annually and strive to achieve year-over-year improvement. Continued implementation of the SMS strategy defined in this ASP reflects how RATP Dev USA intends to meet and exceed these safety performance targets.

3.1 Safety Performance Target: Fatalities

In accordance with the FTA NTD Policy Manual, RATP Dev USA tracks the total number of overall fatalities and transit worker fatalities resulting from safety or security events, excluding those that occur because of illnesses, drug overdoses, or other natural causes (including individuals who are found deceased). RATP Dev USA’s commitment is that no customer, employee, pedestrian, or any other human should ever experience a fatality because of the company’s performance. Fatalities are tracked as a hard count with performance tracked monthly and cumulatively.

Metric	2024 Result	2025 Bus/PT Target	2025 Rail Target
Fatality Count	1	0	0
Fatality Rate	0.001	0.00	0.00
Formula: (Number of all fatalities x 100,000) / Monthly Total Service Mileage			
Transit Worker Fatality Count	0	0	0
Transit Worker Fatality Rate	0.00	0.00	0.00
Formula: (Number of transit worker fatalities x 100,000) / Monthly Total Service Mileage			

3.2 Safety Performance Target: Major Event Rate

The FTA NTD Policy Manual specifies reporting thresholds for minor and major safety events. Additionally, major events are considered any safety or security event that meet the threshold for Level 2 or above in RATP Dev USA’s reporting matrix, which is available on the Safety Resource Hub (company’s intranet). RATP Dev USA intends to reduce its major event rate by a minimum of 10% year over year with performance tracked monthly and cumulatively.

Metric	2024 Result Count	2024 Result Rate	2025 Target Count	2025 Target Rate
Major Safety or Security Events	193	0.25	174	0.22
Formula: (Number of Major Events x 100,000) / Monthly Total Service Mileage = Major Event Rate				

Attachment A (Continued)

3.3 Safety Performance Target: Accident Frequency Rates

The accident frequency rate (AFR) and preventable accident frequency rate (P-AFR) track the number of both major and non-major collisions experienced. A collision includes hitting fixed objects, vehicles, and any other contact that results in fatality, injury, or property damage as specified by the NTD Policy Manual. RATP Dev USA intends to reduce its AFR by a minimum of 15% and P-AFR by a minimum of 10% year over year with performance tracked monthly and cumulatively.

Metric	2024 Bus/PT Result	2025 Bus/PT Target	2024 Rail Result	2025 Rail Target
Accident Count	1870	1589	35	29
AFR	2.42	2.06	11.53	9.8
Formula: (Number of Collisions x 100,000) / Monthly Total Service Mileage = AFR				
Preventable Accident Count	773	696	11	10
P-AFR	1.00	0.90	3.63	3.29
Formula: (Number of Preventable Collisions x 100,000) / Monthly Total Service Mileage = P-AFR				

3.4 Safety Performance Target: Pedestrian Collision Rate

Pedestrian strikes are a top risk for RATP Dev USA and the transportation industry. RATP Dev USA intends to reduce its pedestrian collision rate by a minimum of 20% year over year with performance tracked monthly and cumulatively.

Metric	2024 Result Count	2025 Target Count	2024 Result Rate	2025 Target Rate
Pedestrian Collisions	14	11	0.02	0.014
Formula: (Number of Pedestrian Strikes x 100,000) / Monthly Total Service Mileage				

3.5 Safety Performance Target: Vehicular Collision Rate

The vehicular collision rate will include collisions with all forms of motorized vehicles (cars, buses, motorcycles, etc.). The KPI was introduced by the FTA in 2024. This new metric will be measured throughout the course of 2024 with trends measured month-over-month. Specific targets for year-over-year improvements will be established starting in 2025.

3.6 Safety Performance Target: Injury Frequency Rates

In accordance with the NTD Policy Manual, an injury is defined as an employee, passenger, or third-party experiencing harm that required immediate medical attention away from the scene because of safety event. RATP tracks injury frequency rates (IFR) using both the labor hours-based Occupational Safety

Attachment A (Continued)

and Health Administration (OSHA) methodology as well as the FTA's mileage-based methodology. RATP Dev USA intends to reduce the Occupational Safety and Health (OSH) IFR and IFR-LTI (lost time injuries) by 10%. The FTA IFR rate includes employees, passenger, pedestrian, and third-party injuries and the FTA's transit worker injury rate is specific to all transit employees. RATP Dev USA intends to reduce the FTA IFR and Transit Worker IFR by 10%.

Metric	2024 Result Count	2025 Target Count	2024 Result Rate	2025 Target Rate
OSH IFR	353	318	3.77	3.40
Formula: (Number of Employee Injuries / Total Hours Worked) x 200,000 hours				
OSH IFR-LTI	159	143	1.73	1.56
Formula: (Number of Employee Lost Time Injuries / Total Hours Worked) x 200,000 hours				
FTA IFR	666	599	0.86	0.77
Formula: (Number of all injuries x 100,000) / Monthly Total Service Mileage				
FTA Transit Worker IFR	353	318	0.46	0.41
Formula: (Number of employee injuries x 100,000) / Monthly Total Service Mileage				

3.7 Safety Performance Target: Transit Worker Assaults

The overall transportation industry is experiencing a growing trend in assaults on transit workers, especially operators. The NTD Policy Manual defines a transit worker assault as a circumstance in which an individual knowingly interferes with, disables, or incapacitates a transit worker while the transit worker is performing their duties. The KPI was introduced by the FTA in 2024. This new metric will be measured throughout the course of 2024 with trends measured month-over-month. Specific targets for year-over-year improvements will be established starting in 2025.

3.8 Safety Performance Target: System Reliability Rate

RATP Dev USA is committed to maintaining our clients' assets in a state-of-good-repair, which is foundational producing consistent, repeatable outcomes that create an environment conducive to a safe experience. In accordance with NTD Policy Manual, system reliability is measured based on the number of major mechanical failures experienced, which is defined as failure of some mechanical element of the revenue vehicle not caused by a collision, natural disaster, or vandalism, which prevent a vehicle from completing or starting a scheduled revenue trip because actual movement is limited or because of safety concerns. The system reliability rate is a new metric that will be measured throughout the course of 2024 with specific targets set for year-over-year improvements starting in 2025.

3.9 Safety Performance Target: Worker's Compensation Claims Rate

The Worker's Compensation (WC) claims rate is regarded as a safety performance KPI because when safety events occur, employees are injured and claims are filed. Therefore, a progressive reduction in claims is considered an outcome of an effective SMS. The rate is measured based on the number of

Attachment A (Continued)

claims per 1,000 employees. The 2024 rate of 5.7 was worse year-over-year compared to 2023 but historically low compared to performance data going back to 2020. The company will seek to achieve a new historic low in 2025 by achieving a rate of 4.9 or lower, equating to a 15% improvement.

Metric	2023 Result	2024 Result	2025 Target
WC Claims Rate	5.0	5.7	4.9

3.10 Safety Performance Target: Auto Liability Claims Rate

The Auto Liability (AL) claims rate is regarded as a safety performance KPI because when safety events occur people are injured, and property is damaged resulting in claims filed. Therefore, a progressive reduction in claims is considered an outcome of an effective SMS. The rate is measured based on the number of claims per 10,000 service miles. The 2024 rate of .14 was a significant improvement compared to 2023 (.18) but approximately flat compared to historical performance data going back to 2020. The company will seek to achieve a new historic low in 2025 by achieving a rate of .12 or lower, equating to a 15% improvement.

Metric	2023 Result	2024 Result	2025 Target
AL Claims Rate	.18	.14	.12

4.0 Safety Management Policy

The safety management policy component of RATP Dev USA's SMS has been designed to meet the requirements established by the FTA and RATP Dev. In accordance with 49 CFR Part 673.23 *Safety Management Policy* this section of the ASP address the requirements for a safety management policy and safety management policy statement; outlines the plan for communicating the safety management policy; defines necessary organizational authorities, accountabilities, and responsibilities; describes RATP Dev USA's Employee Voluntary Safety Reporting Program; and specifies the plan forward for refreshing existing and establishing new safety related policies.

4.1 Safety Management Policy Statement

RATP Dev USA's Safety Management Policy and Safety Management Policy Statement have been included in this ASP as Appendix A and Appendix B.

4.2 Safety Management Policy Communication

RATP Dev USA's Safety Management Policy and Safety Policy Statement will be actively communicated throughout the company. A variety of communications techniques will be used to achieve this communication with the intent of reaching every employee. Upon receiving approval of by the CEO, the VP of Safety and Security will partner with Senior Director of Marketing and Communications to announce the updated policy and provide the documents to the general managers (GMs) of every location through email. The GMs will be required to print the Safety Management Policy and Safety Management Policy Statement and place them on bulletin boards, making the documents physically accessible to employees. GMs and Safety Managers (SMs) will be directed to announce the policies availability and provide an overview of the policy during their monthly safety meetings with represented employees. The VP of Safety and Security will provide a PowerPoint presentation to assist GMs and SMs with their communication and engagement. All employees will be invited to review the policy and either provide feedback directly to their management or directly to the corporate safety department through the employee voluntary safety reporting program. The Safety Management Policy will also be posted on the Safety Resource Hub, a web-based SharePoint site available through the company's intranet that serves as the centralized locations for all safety information.

4.3 Necessary Authorities, Accountabilities, and Responsibilities

The success of SMS depends on support from across the company. At a minimum, every employee at RATP Dev USA has the responsibility to report safety concerns when they are identified. This responsibility includes actively engaging in the process described in section 4.4 *Employee Voluntary Safety Reporting*. This section expands on the necessary authorities, accountabilities, and responsibilities identified in P/I 10.8 *Safety Management Policy*. The following Responsible (R), Accountable (A), Contributor (C), and Informed (I) matrix summarizes the support required from RATP Dev leadership and key staff to ensure the successful development and implementation of SMS. The ensuing sub-sections expand on the matrix to outline the specific needs identified for each position.

Attachment A (Continued)

Role and Title		Safety Management Policy	Safety Risk Management	Safety Assurance	Safety Promotion
Accountable Executive	Chief Executive Officer	R	R	R	R
SMS Executive	Senior Vice President of Safety and Industrial Engineering	A	A	A	A
Agency Leadership and Executive Management	Senior Vice President of Operations	A	A	A	A
	Senior Vice President of Risk	C	C	C	C
	Chief People Officer	C	C	C	C
	Chief Financial Officer	C	C	C	C
	Chief Development Officer	C	C	C	C
Key Staff	VP of Safety and Security	A	A	A	A
	Regional Safety Directors	A	A	A	A
	Regional Operations Directors	A	A	A	A
	General Managers	A	A	A	A
	Operations Managers	A	A	A	A
	Safety Managers	A	A	A	A

4.3.1 Accountable Executive

The CEO is RATP Dev USA's Accountable Executive. The CEO is ultimately responsible for RATP Dev USA's safety performance. The CEO makes policy and resource decisions, supports the implementation of safety action plans, approves safety strategic initiatives, and oversees daily operations of the company. The CEO champions safety at the company to ensure that all employees understand that safety comes first. The CEO has designated the SVP of Safety and Industrial Engineering as the SMS executive, a position that reports directly to him.

4.3.2 SMS Executive

RATP Dev USA's SVP of Safety and Industrial Engineering has been designated as the company's SMS Executive and reports directly to the CEO. The SVP of Safety and Industrial Engineering is a safety professional that has been adequately trained, holding both the DOT TSSP and PTSCTP certificates (among other credentials). The SVP of Safety and Industrial Engineering has been empowered with the responsibility for day-to-day development and implementation of RATP Dev USA's SMS.

4.3.3 Agency Leadership and Executive Management

RATP Dev USA's Executive Council (EXCO) are the company's agency leadership and executive management. The EXCO is composed of the CEO's direct reports: SVP of Operations, SVP of Risk, SVP of Safety and Industrial Engineering, Chief People Officer, Chief Financial Officer, and Chief Development Officer. The SVP of Operations is accountable for the SMS along with the SVP of Safety and Industrial Engineering. The Operations Department is ultimately responsible for working together with the Safety Department to ensure the SMS is implemented, effective, and continuously improving. The SVP of Risk contributes to the safety strategy, provides input based on claims data, and helps set safety performance targets. The Chief People Officer contributes to the safety strategy and incorporates safety principles into the human resources program to include the employee handbook, hiring selection and onboarding processes, policy development, and employee engagement campaigns. The Chief Financial Officer contributes by collaborating with the safety department to determine their annual budget, support funding for key safety initiatives, track the safety program's financial performance in terms of negotiated insurance premiums and worker's compensation and auto liability claims cost reductions. The Chief Development Officer contributes by utilizing the communications and marketing team to help communicate safety information across the company, assists with implementing key safety strategic initiatives to include providing products and branding, and assists the safety department with logos, graphics, designs, and messaging.

4.3.4 Key Staff

The safety department includes a VP of Safety and Security and three regional safety directors. The operations department includes five operations directors. These safety and operational leaders are accountable for working together to develop and implement the company's SMS. The alignment of operations and safety on the strategy to develop and implement the SMS is foundational to the strategy's success. Collectively, safety and operations engage the field, which is composed of 35 locations that each have General Managers (GMs), Operations Managers (OMs) and Safety Managers (SMs). At the local level, the GM functions as an Accountable Executive and the SM functions as the SMS Executive. The GM manages their budget, controls human and capital resources, and they are held accountable for providing safe, quality operations for clients and the communities served. By implementing the SMS, SMs work with GMs and OMs to ensure the locations safety risks are understood, prioritized, and identifies the mitigations required to continuously improve safety performance. The GMs assign funding and resources against safety risks and OMs are responsible for working closely with SMs to apply those resources to drive safety risk mitigations, which translates into the systematic reduction in the quantity and severity of safety events and claims costs.

4.4 Employee Voluntary Safety Reporting Program

RATP Dev USA requires all employees to identify hazards, mitigate them immediately if possible, and to report them. This includes reporting a close call when involved directly or witnessing a near-miss incident, or if a reported safety concern persists. RATP Dev USA strives for a culture where employees feel comfortable verbally reporting their safety concerns to their direct supervisor, safety management, or senior management as soon as they are discovered. However, there may be circumstances where employees prefer reporting outside their chain of command to maintain confidentiality and to avoid the potential for retaliation. RATP Dev USA's Safety Management Policy specifically prohibits retaliation, but the concern may still exist. Consequently, the company has implemented an Employee Voluntary Safety Reporting Program. Every location's SM is responsible for ensuring the Employee Voluntary Safety Reporting Program flyer is posted. Employees can simply scan a QR code or they can email



safetyreport@ratpdev.com. Employees can choose to remain confidential with identifying themselves and providing contact information optional although providing this information is encouraged. Upon receiving an employee voluntary safety report, the VP of Safety and Security reviews every report with their applicable regional safety directors. The safety directors work with their operational counterparts, GMs, and SMs to investigate the report, assess the risk, and determine the appropriate mitigation plan forward. All risk mitigations will be incorporated into each location's safety action plan. The regional safety director will coordinate to ensure the reporter receives regular updates through the review, investigation, assessment, and mitigation process. A critical component of the Employee Voluntary Safety Reporting Program is assuring the reporter their voice was heard, their reports is being actively addressed, and ultimately, what actions are being taken in response. There are conditions when a reporting employee could be subject to discipline, specifically:

- The employee's action or lack of action was intended to damage RATP Dev USA's equipment
- The employee's action or lack of action purposely places others in danger
- The employee's action or lack of action involved a criminal offense
- The employee's action or lack of action violated a traffic safety law leading to a citation
- The employee's behavior involved substance abuse
- The report contains falsified information

5.0 Safety Risk Management

The Safety Risk Management component of RATP Dev USA's SMS has been designed to meet the requirements established by the FTA and RATP Dev. In accordance with 49 CFR Part 673.25 *Safety Risk Management*, this section of the ASP includes: safety risk identification, safety risk assessment, and safety risk mitigation (corrective and preventive actions). The safety risk management process is the engine of RATP Dev USA's SMS, which is designed to enable proactive detection of safety risk and drive actions before a safety event has the opportunity occur. Through systematic implementation across the company, the quantity and severity of RATP Dev USA's accidents, injuries, property damage, and association claims will continue to progressively trend down even while the company continues on a consistent growth trajectory year-over-year.

5.1 Safety Risk Identification

The first step in the Safety Risk Management process is to identify safety risks (any real or potential condition that can cause injury, illness, or death; damage to or loss of facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment). The safety risk identification approach is data-driven and therefore, RATP Dev USA collects safety data from a variety of sources that are reviewed and analyzed to identify safety risks. Safety data is categorized as either lagging indicators and leading indicators. Lagging indicator data reflects the near-misses and safety events that have occurred also known as realized risks. Leading indicator data reflects behaviors and reports that are regarded as precursors to experiencing a safety event. The following data sources have been made available to all GMs and SMs:

- Lagging indicator data sources
 - SafeTracker software captures all near-miss and safety event reports and investigations
 - Fleet Response software captures all auto liability claims data
 - Helmsman software captures all worker's compensation claims data
 - Qlik Sense Business Intelligence tool tracks trends against safety performance targets
- Leading indicator data sources
 - Telematics software captures and trends operator risky behaviors
 - Internal and external audit findings
 - Employee voluntary safety reports
 - Reports from the FTA, clients, industry, or other external entities

GMs, SM, and OMs are expected to work together to use all these data sources to detect patterns and trends that indicate systemic risks exist on an ongoing basis. The local teams have the ability to engage with their operations and safety directors on assistance in reviewing the data. The risks identified are then captured in the risk register and action planning tool, Monday.com.

5.2 Safety Risk Assessment

The identified risks are subjected to an assessment based on the likelihood and severity formula benchmarked from MIL-STD-882E *System Safety Standard Practice*. Likelihood is measured based on the frequency (or how often risk is expected to occur). A combination of quantitative and qualitative data is used to assess likelihood. The leading and lagging indicators are considered along with existing mitigations in place, employee reporting, feedback from safety and operations management, results from safety assurance oversight, and findings from internal audits, the FTA, RATP Dev (Paris), or other entities. Determining likelihood is ultimately an exercise in interpreting data. The qualitative guideline specified in the table below is from the MIL-STD-882E criteria. The quantitative guideline is intended to help inform users interpretation based on exposure population. For example, if a particular intersection is prone to safety events, the exposure population would assess the ratio of how often a buses pass through that intersection compared to how often near-misses, safety events, or risky behaviors are detected to help determine the frequency rating.

Probability	Value	Qualitative Guideline	Quantitative Guideline
Frequent	A	Opportunity for risk to be realized expected to occur often	Probability of occurrence greater than or equal to 10^{-1} (10%) of exposure population
Probable	B	Opportunity for risk to be realized expected on a recurring basis	Probability of occurrence less than 10^{-1} (10%) but greater than or equal to 10^{-2} (1%) of exposure population
Occasional	C	Opportunity for risk to be realized expected to occur	Probability of occurrence less than 10^{-2} (1%) but greater than or equal to 10^{-3} (0.1%) of exposure population
Remote	D	Opportunity for risk to be realized not expected to occur but possible	Probability of occurrence less than 10^{-3} (0.1%) but greater than or equal to 10^{-6} (0.0001%) of exposure population
Improbable	E	Opportunity for risk to be realized not expected to occur and almost inconceivable	Probability of occurrence less than 10^{-6} (0.0001%) of exposure population

Attachment A (Continued)

Severity is measured based on the consequences expected from the risk occurring. A combination of quantitative and qualitative inputs is also used to assess severity. Historical safety performance indicators such as the nature of the injury experienced, extent of property damage, and length of service disruption are reviewed along with existing mitigations, employee reporting, feedback from safety and operations management, results from safety assurance oversight, and findings from internal audits, the FTA, RATP Dev (Paris), or other entities. After likelihood is assessed, the GMs and SMs assess the severity of each risk based on a discussion and interpretation of this data. The MIL-STD-882E severity scale has a number-based value range from 1 to 4. The lower the number value assigned, the more severe the consequence is expected to be as reflected in the following table.

Severity	Value	Meaning
Catastrophic	1	Risk realization expected to result in one or more of the following: death, permanent total disability, loss of passenger/crew occupied volume with equipment damage causing separations in structure, infrastructure damage that suspends service through the affected area for greater than 24 hours.
Critical	2	Risk realization expected to result in one or more of the following: permanent partial disability, injuries/illness that results in hospitalization, loss of passenger/crew occupied volume with equipment damage that causes openings but no separations in structure, infrastructure damage that suspends service through the affected area for greater than 2 and up to 24 hours.
Marginal	3	Risk realization expected to result in one or more of the following: injury or illness resulting in one or more lost work day(s), loss of passenger/crew occupied volume with equipment damage that causes no openings in structure, infrastructure damage that suspends service through the affected area for more than 30 minutes and up to 2 hours.
Negligible	4	Risk realization expected to result in one or more of the following: injury or occupational illness that does not result in a lost work day, no loss of passenger/crew occupied volume, equipment or infrastructure damage that does not suspend service nor cause a delay through the affected area for more than a maximum of 30 minutes.

The assessment of likelihood and severity of a given safety risk is based on the totality of the circumstances associated with each. Upon completing the risk assessment for each risk, the GM or SM enters the results Monday.com. The following MIL-STD-882E risk matrix is used with grading criteria resulting in the assessment for each risk depicted as either high (red), serious (orange), medium (yellow) or low (green), determining how the safety risks will be prioritized.

Attachment A (Continued)

Risk Probability	Risk Severity			
	Catastrophic 1	Critical 2	Marginal 3	Negligible 4
Frequent – A	1A	2A	3A	4A
Probable – B	1B	2B	3B	4B
Occasional – C	1C	2C	3C	4C
Remote – D	1D	2D	3D	4D
Improbable – E	1E	2E	3E	4E
Risk Index				
Red	1A, 2A, 1B, 2B, 1C	Risk mitigating safety action plan required and reviewed at monthly safety meeting with SVP of Operations and SVP of Safety and Industrial Engineering		
Orange	3A, 3B, 2C, 1D	Risk mitigating safety action plan required and reviewed at monthly safety meeting with SVP of Operations and SVP of Safety and Industrial Engineering		
Yellow	4A, 4B, 3C, 2D, 3D, 1E, 2E, 3E	Risk mitigation safety action plan required and reviewed with regional Operation and Safety Directors.		
Green	4C, 4D, 4E	Risk effectively mitigated with completed actions in place. The risk is under local GM and SM monitoring.		

5.3 Safety Risk Mitigation

After the risk assessment is complete, the risk mitigation step involves determining what actions need to be taken to reduce them as low as reasonably practicable. The risks assessed as high are prioritized accordingly, followed by serious risks, then medium risks, and low risks (as required). The SMs perform research to determine whether there are risk mitigations already in place as well as any other mitigations that are already in work (e.g., as part of the safety action plan). The following criteria (based on the *Hierarchy of Controls*) is applied when developing risk mitigations:

- **Elimination:** Mitigations designed into the operation that eliminate the potential for exposure to risk (e.g., *the station is shut down when an escalator malfunctions, eliminating the possibility of customers getting hurt while using them as stairs*)
- **Substitution:** Mitigations designed into the operation that result in avoiding the potential for risk exposure (e.g., *the station remains open when an escalator malfunctions, but customers are re-directed to actual stairs or elevators to avoid use of the malfunctioning escalator*)
- **Engineering Controls:** Mitigations designed into the operation that trigger controls when the potential for risk exposure increases (e.g., *an automatic gate is activated when an escalator shuts down, creating a barrier that deters customers from using them as stairs*)
- **Administrative Controls:** Mitigations designed to change human performance or behaviors in response to the risk (e.g., *every three minutes, the station will announce the escalator is out of service and advise customers to use the actual stairs or elevators*)
- **Personal Protective Equipment (PPE):** Mitigations designed to protect from exposure to the risk while an activity is performed (e.g., *an attendant will hand out helmets to customers so in case they fall while climbing a shutdown escalator, their head is protected*).

The mitigation criteria are applied with the most feasible and effective mitigations prioritized accordingly. Any risk mitigations that require additional resources (personnel, funding, etc.) are escalated to regional Safety and Operations Directors and ultimately, the SVP of Operations and SVP of Safety and Industrial Engineering as needed. After the risk mitigation actions are determined, they are incorporated into Monday.com as safety action plans. GMs and SMs are responsible for ensuring every risk mitigation is specific, measurable, achievable, relevant, and time-sensitive with clear owners assigned. GMs are responsible for ensuring that safety action plans are implemented and maintained to stay current. GMs and SMs regularly review their safety performance to determine if their safety action plan is effectively mitigating their safety risks as intended and adjust as needs dictate. An effective safety action plan results in progressively a downward trend in safety events, property damage, injuries and ultimately, translates to progressively lower worker's compensation and auto liability claims rate as well as lower expense when claims do occur. GMs are required to participate in monthly safety meetings where they report on their top safety risks, actions being taken to mitigate them, and KPIs used to measure effectiveness. These meetings provide EXCO leadership with the opportunity to review each location's implementation of the safety risk management process and provide direction.

6.0 Safety Assurance

The Safety Assurance component of RATP Dev USA's SMS has been designed to meet the requirements established by the FTA and RATP Dev. In accordance with 49 CFR Part 673.27 *Safety Assurance*, this section of the ASP includes safety performance monitoring and measurement; safety event reporting and investigation; management of change; and continuous improvement. Additionally, the safety assurance component includes a focus on integrated claims management. If safety risk management is the engine of the SMS, safety assurance provides the fuel. The results of safety assurance are fed back into the safety risk management process, creating a systematic approach that drives continuous improvement by progressively strengthening safety actions plans.

6.1 Safety Performance Monitoring and Measurement

There are two fundamental objectives of safety performance monitoring and measurement. The first objective is to ensure that safety risk mitigations are being complied with or implemented as intended. The second objective is to measure the effectiveness of the risk mitigations to reduce the risk of having a safety event or injury as intended. To monitor compliance, each location is required to implement a variety of techniques.

6.1.1 Annual Self Assessments and Monthly Internal Controls

Each location is required to complete a self-assessment on an annual basis. The self-assessment requires each location to assess their compliance in the following control areas:

- 1) Commercial Driver License (CDL)
- 2) DOT Medical
- 3) Training
- 4) Drug and Alcohol Testing
- 5) Telematics (DriveCam)
- 6) Working Hours as defined in CBAs
- 7) Preventative Maintenance Inspections
- 8) Corrective Maintenance

In each of these areas, locations are required to rate their compliance using the following criteria:

- Rating 1 – No SOP has been established for the control area
- Rating 2 – SOP in place but internal controls (oversight) has been applied
- Rating 3 – SOP in place and internal control in place but has experienced a significant failure
- Rating 4 – SOP in place and internal control in place and working as intended

In any area where the location is reporting their maturity to be at a rating of 2 or less, they are required to work with the corporate safety department to incorporate actions into their safety action plans that will result in achieving a level 4 rating. By the 15th of every month, the managers of safety sensitive functions of each location (Operations, Dispatch, and Maintenance) are required to complete an audit internal control checklist designed to ensure that RATP dev USA is maintaining compliance in each of the control areas and proactively detecting and correcting non-compliances before they have an increase safety risk. The internal control checklists are web-based and available the following links:

- [Dispatch/Traffic Internal Control Monthly Self-Assessment](#)

- [Maintenance Internal Control Monthly Self-Assessment](#)
- [Operations Internal Control Monthly Self-Assessment](#)

Additionally, on a quarterly basis, the location's safety managers are required to complete an internal control assessment. This safety-level internal control randomly observes and samples the operation from an objective, independent perspective that encompasses all aspects of the local organization. The internal control is due for completion by the end of each quarter on a calendar year basis with the results reported to the applicable regional safety director for review and coordination with operations regional leadership and general management. The results of all internal control activity inform the continuous improvement of safety action plans.

- [Safety Internal Control Monthly Self-Assessment](#)

6.1.2 RATP Dev Corporate Audits

Parent company RATP Dev's Technical Department comes to the United States from Paris to audit four locations annually. The scope of these audits includes operations, maintenance, safety, and support functions. The audits report on good practices taking place within the location, findings or items requiring an improvement action to ensure a risk is adequately controlled, and major findings or items requiring an immediate improvement action to ensure a significant risk is adequately controlled. The risk may be safety related or may have a significant impact on operational or financial performance. All findings are captured in RATP Dev's SmartSheet software. Each location's safety manager is required to incorporate all safety-related findings and major findings into their safety action plans in Monday.com to ensure they actions taken are tracked and managed to completion.

6.1.3 RATP Dev USA Corporate Audits and Health Check Reviews

The safety department conducts audits that include every operating contract on a triennial basis. The audits focus on training compliance, records management, and risk mitigation. The safety manager of each location is required to incorporate the findings from RATP Dev USA corporate audits into their safety action plans in Monday.com to ensure the actions taken in response are managed to completion. Additionally, the Director of Quality and Standards reports directly to the SVP of Safety and Industrial Engineering. The Director of Quality conducts 3-4 health check reviews a year as directed by the CEO. The health check reviews encompass operations, maintenance, and safety and are designed to provide recommendations to locations on how they can continuously improve their performance. However, any safety risks discovered during the health check review without mitigations in place are required to be incorporated into the location's safety action plan.

6.1.4 Telematics Oversight

All RATP Dev USA operating contracts and the majority of management contracts have a DriveCam telematics system in place. This technology tracks over 70 risky behaviors such as speeding, hard braking, following distance, incomplete stops, mobility device usage, seat belt compliance, etc. The telematics systems are installed on both revenue and non-revenue vehicles. GMs and SMs are required to use this technology to track the performance of their operators. Telematics data provides a key source of leading indicators or precursor behaviors that can be addressed before a safety event or injury occurs. Therefore, GMs and SMs are expected to coach operators on risk behaviors in a timely manner with a target of having the coaching sessions within three days of the event. GMs are expected to

negotiate progressive discipline policies in their CBAs so that operators that are not responding to the coaching are held accountable progressively to include termination if required. Refer to the RATP Dev USA Telematics Policy for more information.

6.1.5 Qlik Sense for Performance Monitoring

RATP Dev USA's KPIs for Safety, People, Operations, and Finance are visualized using the business intelligence tool, Qlik Sense. Qlik Sense enables the GMs and their staff to monitor their progress against the established safety performance targets (refer to section 3.0 for RATP Dev USA's safety performance targets). The effectiveness of their safety action plans is assessed based on KPI performance. If the safety action plans are working as intended, then safety performance should be trending favorably month-over-month. Conversely, if safety performance is flat or trending unfavorably month-over-month, then safety action plans should be re-evaluated with new actions or refreshed priorities to ensure they are current and aligned with the evolving nature of dynamic transit operations. Ultimately, safety action plans are not considered effective until they are effective mitigating risk, which translate to downward trends in safety KPIs. These trends are tracked at the location, regional, and company level. The safety regional directors also monitor these trends, assess the quality of safety action plans, conduct site visits, and provide subject matter expertise to assist locations in continuously improving their safety actions plans.

6.1.6 Additional Performance Monitoring Best Practices

Each location is also expected to implement a variety of best practices to monitor performance and verify compliance. These best practices include road checks performed by operations supervisors. These checks involve supervisors riding the bus and observing operators comply with traffic laws, training requirements, and customer service. Another best practice includes trail checks, where supervisors in non-revenue vehicles follow revenue vehicles and monitor their performance for speed, braking, traffic law compliance, etc. Locations are encouraged to adopt a mystery rider program where anonymous riders complete a checklist or questionnaire evaluating their experience with the service. Each location implements a system of tracking findings and actions taken to address them. Systemic or recurring findings are required to be incorporated into each location's safety action plan for additional tracking, oversight, and support from the corporate safety department.

6.2 Safety and Security Event Reporting and Investigation

A safety or security event is defined as an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment. RATP Dev USA has established a reporting matrix that specifies the criteria for five reporting levels (0-4) based on the severity of the safety or security event experienced. All safety and security events (regardless of level) are required to be reported in RATP Dev USA's safety software SafeTracker. GMs are required to ensure all safety and security events are reported promptly. Level 0s and 1s are required to be reported with 24 hours of occurring. Level 2s are required to be reported within six hours of occurring. Level 3s are required to be reported within four hours of occurring. Level 4s are required to be reported immediately or within one hour of occurring. All Level 1-4 safety and security events are required to be investigated. After completing the initial report. The investigation is required to collect information that is used to determine causal factors, corrective and preventive actions, and enable claims management:

- Pictures from the event scene
- Video from telematics system
- Operator statement / Witness statements (if applicable)
- Operator drug and alcohol testing results
- Supervisor report
- Police report
- Maintenance Work Orders and Purchase Orders

All the information collected as part of conducting the investigation is required to be uploaded into SafeTracker and also Fleet Response for auto liability claims. The data is essential for enable litigation defense when required and subrogating against another driver when they are at-fault. After the investigation is completed, the report should move from draft status in SafeTracker to complete. The lessons learned from all safety and security event investigations are captured in the locations safety action plan to drive continuous improvement. The GM is required to attend the company's Executive Accident Review Board (EARB) for all Level 2-4 Safety and Security Events. The EARB is a weekly meeting chaired by the CEO and includes safety and operations leadership as well as the applicable GMs and their support staff based on the events that have occurred. At the EARB, GMs are required to present on the event that occurred, the results of the investigation, and the actions being taken to effectively mitigate the risk of the same or similar event from re-occurring. All actions reported at the EARB are required to be incorporated into the location's safety action plan and managed as part of their overall effort to systematically reduce safety risks.

6.3 Management of Change

Any change to an existing transit operation has the potential to introduce safety risks. Change comes in a variety of forms to include new employees, equipment, routes, service levels, etc. RATP Dev USA will apply the safety risk management process described in section 5.0 to proactively identify, assess, and mitigate the risks introduced by change. GMs are required to work with their clients to understand the changes planned in the future. This includes service level changes to be introduced as part of the run cut process that takes place three to four times annually (depending on location) or future equipment changes as part of long-term fleet planning, or introduction of new modes such as micro-transit or on-demand services. By anticipating change, GMs and SMs have the ability to apply the safety risk management process and incorporate mitigating actions into their safety action plans proactively before the changes are implemented and associated risk has the opportunity to cause harm. Additionally, all employees are responsible for reporting safety concerns or risks associated with change. The frontline transit workers are often directly experiencing change in terms of new buses, streetcars, or other equipment, new route adjustments or frequencies, and other forms of change. These changes have the potential to introduce safety risks and all employees have a responsibility to proactively report their safety risks or concerns associated with change in an effort to proactively mitigate them.

6.4 Continuous Improvement

The systematic approach to continuous improvement includes: (1) identification of deficiencies in the company's SMS; (2) identification of deficiencies in performance against safety targets; (3) complying with any requirements established by RATP Dev, State Safety Oversight Agencies, FTA, state DOTs, or other entities; (4) mitigating safety risks based on implementing the SMS safety risk management and

safety assurance processes. The safety assurance component of RATP Dev USA's SMS is designed specifically to achieve these objectives.

- 1) The company actively seeks to identify deficiencies in the company's SMS by making this ASP available to all employees for review and feedback on the Safety Resource Hub (RATP Dev USA intranet). Additionally, the company will take advantage of the FTA's offer to conduct courtesy reviews of ASPs through the Technical Assistance Center (TAC) and incorporate their feedback. The safety department leads monthly safety reviews that include every location to report on their progress on managing risks through the implementation of effective safety risk management and safety assurance processes. RATP Dev and RATP Dev USA also implement corporate level audits and health check reviews designed to proactively assess the company's SMS in action and use the results to correct any deficiencies identified.
- 2) The company tracks its safety performance targets using the business intelligence tool, Qlik Sense. The dashboard enables the identification of deficiencies by visualizing progress month over month for each safety performance target and specifies the direction on how performance is trending, which is highlighted in either green (downward), yellow (flat), or red (upward). GMs are required to report on their performance at monthly safety reviews and explain how the mitigations in their safety actions plans align to what the KPIs are signaling. The ultimate effectiveness of a safety action plan is determined by its impact the KPIs that measure RATP Dev USA's safety performance targets.
- 3) The company implements internal controls required by RATP Dev and receives corporate audits from the parent company annually. The FTA conducts triennial reviews and state DOTs conduct periodic audits as well. The company evaluates all of the findings received and assesses them using the safety risk management process described in section 5.0 and either develops a separate corrective action plan or incorporates actions into their overall safety action plan, depending on the scope and magnitude of the effort required to address the finding. All feedback from reviews and audits are considered opportunities to drive continuous improvement of the company's SMS.
- 4) Regardless of their safety performance, every location in RATP Dev USA is required to actively maintain and implement a safety action plan. The safety action plan is driven by the results of the safety risk management process (section 5.0), which is fueled by the results of safety assurance activities (section 6.0). The audits, reviews, KPIs, risky behaviors, lessons learned from other locations ensure that even top performing locations have a wealth of data used to inform their safety action plans and drive continuous improvement.

6.5 Integrated Claims Management

The risk and safety departments have collaborated to establish a robust tool using Monday.com to effectively manage WC claims (pictured below). The tool enables the corporate and local teams to have a clear and shared understanding of exactly how many open WC claims are open, the status of each open claim, and the next step required. The objective is to support injured employees while managing claims as efficiently as possible to closure. Additionally, the safety and risk departments are developing a tool customized to manage AL claims, which is scheduled for implementation across the company over the course of the second quarter (Q2) of 2025.

7.0 Safety Promotion

The Safety Promotion component of RATP Dev USA's SMS has been designed to meet the requirements established by the FTA and RATP Dev. In accordance with 49 CFR Part 673.29 *Safety Promotion*, this section of the ASP includes: safety competencies and training as well as safety communication. The ultimate purpose of safety promotion is to shape and reinforce the safety culture required to ensure the long-term, sustained effectiveness of SMS. At RATP Dev USA, safety is value and the vision to achieve a safety culture where every employee has a fundamental understanding of the company's safety program and feels comfortable voicing safety concerns and reporting risks without fear of retribution.

7.1 RATP Dev USA Values

RATP Dev USA's values are Safet, United, Caring, Effective, and Daring. Safety is the first company value because the company emphasizes that safety is critical and informs every action, decision, and effort. The company is committed to maintaining a secure and healthy environment for everyone at work whether that's in the office, in a maintenance shop, or on the road. The united is value is about sharing knowledge, experiences, and ideas with each other. Especially, with approximately 40 locations across the country, RATP Dev USA's fosters a united culture that learns from one another, sharing best practices and creating a culture conducive to continuous improvement. Caring is the value that reminds us to never forget who we are working for. RATP Dev USA provides an essential community service that is there when people need us the most. The effective value is about honoring the commitment to do what we say we are going to do. Safety is essential to delivering effective, quality service that is on time, every time. The daring value is about taking on new challenges and pursuing new opportunities. RATP Dev USA seeks to be a healthy, growing business that is diversified, which can only be accomplished by establishing new relationships and taking on new challenges.



7.2 Safety Competencies and Training

RATP Dev USA's safety training program is foundational to putting the company's values into action. The training program provides courses designed for management, supervisors and functions designated as sensitive by the U.S. DOT and RATP Dev (operators, dispatchers, and mechanics). As the safety program continuously improves, the safety training program also evolves to incorporate training on trending risk areas, best practices, lessons learned, and input from external sources such as RATP Dev's Technical Department and the FTA. The safety training and safety assurance functions complement each other to ensure the training administered is being applied and working as intended. The findings from safety assurance oversight are incorporated into the safety risk management process, resulting in a continuously improving safety action plan that systematically drives training program improvements.

7.2.1 Safety Management Training

All RATP Dev USA GMs and SMs receive instructor-led, classroom-based safety management training conducted by the safety and risk departments. The training covers the principles of RATP Dev USA's SMS (Safety Policy, Safety Risk Management, Safety Assurance, and Safety Promotion). The training course proceeds to train the GMs and SMs on how to use the tools provided to proactively manage their safety risks to continuously improve performance. Specifically, the safety management course covers:

- How to use SafeTracker, the company's software for safety and security event reporting, investigation, and data collection
- How to use Fleet Response, the company's software for managing AL claims.
- How to use TriageNow and Helsman, RATP Dev USA's tools for managing WC claims.
- How to use DriveCam telematics technology to detect and address risky behaviors.
- How to response to employee voluntary safety reports.
- How to use Qlik Sense, the company's business intelligence tool that is used for KPI tracking as well as data trending and analysis.
- How to use internal controls, audits, trail checks, mystery riders and other safety assurance oversight to proactive detect and systemically improve safety risk management
- How to use all the data from safety and security events, WC and AL claims, telematics, voluntary safety reports, and safety assurance oversight to create dynamic, data driven safety actions plans in Monday.com that reflect
 - The prioritized safety risks facing the operation
 - The actions being taken to mitigate them
 - The KPIs used to measure effectiveness

7.2.2 Operator Safety Training

RATP Dev USA safety training for new operators includes a minimum of 120 hours of training (15 days). The company combines the principles of SMS with curriculum incorporated from the Transit and Paratransit Company (TAPTCO), which is recognized as the industry standard for safety training in transit. RATP Dev classroom training includes the LLC methodology (Look Ahead, Look Around, Leave Room, Communicate), drug and alcohol training, defensive driving, customer service, sensitivity/empathy training, accident and emergency procedures, and mobility device loading and securement procedures. Training for new CDL operators includes the coursework outlined below, with a minimum of 40 additional hours of Behind-The-Wheel (BTW) training and a minimum of 40 additional hours of one-on-one training in revenue service.

7.2.2.1 Classroom Skills Training

RATP Dev USA's training for new operators involves a detailed examination of the rules, policies, and safety procedures. Initial operator training includes a minimum 40 hours of classroom instruction, with a strong emphasis on developing the necessary skills to operate the vehicles, assist customers, understand the routes, adhere to manifests, and drive defensively. The classroom training includes:

- Operator manual, employee rulebook and uniform requirements
- Sensitivity training with an emphasis on working with individuals with disabilities
- Courteous and professional customer relations
- Revenue vehicle types technical and safety training
- Radio communication procedures and codes; Defensive driving; safety and accident prevention

Additionally, RATP Dev USA's comprehensive operator training curriculum focuses on achieving excellence in customer service. Customer service modules are included in new hire and refresher training. Customer service training is delivered using different training techniques, such as classroom training, BTW training, role-playing exercises, and verbal de-escalation training. The company's scenario-based training sessions feature the following themes:

- Winning Attitude – Operator sets the tone for being courteous and patient
- Resources – Available policy and performance expectations
- Communication Skills – Body language, tone, eye contact
- A Self-evaluation Module – Evaluates one's behavior
- Conflict Resolution – Knowing personal / common triggers.
- Customer Loyalty – Customer assistance, positive experiences, and feedback
- Customers with Disabilities – ADA Compliance, passenger rights, and sensitivity

7.2.2.2 ADA Compliance and Mobility Device Securement Training

RATP Dev USA understands that we are providing an essential service to the communities we serve and this service includes supporting the most vulnerable among us. The company takes the preparation to serve people with disabilities seriously. Operators are trained to be sensitive and patient when interacting with customers. At least eight hours of operator classroom training is spent on sensitivity training with regards to serving older adults and people with disabilities. New operator training also includes an emphasis on proper wheelchair and scooter boarding, securement, and alighting. Additionally, the training ensures that operators understand all American with Disabilities Act (ADA) laws and passenger rights.

7.2.2.3 Behind-the-Wheel Training

RATP Dev USA's BTW training allows trainees to implement classroom lessons in a controlled operations environment, prior to in-revenue service training. Operators complete 40 hours of BTW service and must demonstrate mastery of BTW operations and procedures before they can begin the next stage of training. Examples of BTW coursework include:

- Pre-trip vehicle inspection and defect reporting
- Wheelchair and scooter lifts and accessibility devices
- Revenue vehicle type familiarization and maneuvers, including acceleration, deceleration, and turning
- Route and schedule or manifest adherence
- Application of defensive driving techniques
- Onboard equipment storage and usage

7.2.2.4 Cadet Training

Once operators have successfully completed a BTW assessment for non-revenue service training and passed a mastery test covering classroom training content, they will enter the cadet phase of training for a minimum of 40 hours. Cadet training includes the application of classroom procedures as well as BTW training. Certified senior operators who support operator training are qualified as instructors based on a safe driving record, a proven record of professional driving experience, and demonstrated ability to provide high-quality customer service.

7.2.2.5 Operator Refresher Training (Annual and Post Safety Event)

To ensure operators are prepared and continuously supported, RATP Dev creates retraining opportunities on an annual basis and as needs dictate based on performance. In mandatory annual refresher training, operators refresh their fundamental safety skills and get training on the latest advancements based on lessons learned and efforts to continuously improve. For example, refreshing training includes a review of selected customer service reports or safety and security events, which provide an opportunity to reflect and determine if the training provided was applied in each of the situations. Additionally, retaining classes will be provided for operators who have had one or more of the following occurrences in the previous 12 months:

- Preventable Accidents – Operators that had a preventable accident will receive defensive driving retraining and an onboard evaluation
- Non-Preventable Accidents – Operators that had two non-preventable accidents will receive defensive driving retraining and an onboard evaluation
- Customer Service – Operators who are charged with verified customer service complaints will receive customer service retraining
- ADA Violations – Operators who are found to violate ADA policies and procedures receive counseling, discipline, and a retraining of four hours.

7.2.3 Road Supervisor Training

Initial training for road supervisors is a minimum of 40 hours supplemented with on-the-job training and mentoring. Supervisors are educated on all the functions of service supervision, operator management, system software, and radio communications. Road supervisors are trained in customer relations skills and operating policies to handle customer service inquiries and concerns. Supervisors are given customer service training so they can respond appropriately to customers in various situations. This training includes strategies for de-escalating situations when responding to calls for assistance with passengers. At the end of their training, supervisors are proficient in the following areas:

- Daily documentation of service operations, discrepancies, and actions
- Coach/mentor operators and dispatch to enhance service delivery
- Manage communication and escalation of concerns, safety/security events, or medical emergencies
- Monitor schedule compliance and operator performance time
- Support management and maintenance to maintain a high level of performance
- Ensure daily paperwork is complete and accurate prior to the end of shift

7.2.4 Dispatch Training

RATP Dev USA hires experienced operators or supervisors to become dispatchers. Dispatchers are responsible for coordinating the safe movement of revenue vehicles and communicate directly with operators when required. Dispatchers receive on-the-job training to include how to use dispatching software, how to manage the operation's schedule efficiently, and how to follow special instructions to support operators during road calls, emergencies, safety or security event reporting, and how to address any other issues that surface outside of standard operations.

7.2.5 Maintenance Training

RATP Dev USA has a corporate maintenance director that works with maintenance management at each location to ensure mechanics are trained to meet the needs of each location's specific fleet. This on-the-job training includes servicing and repairing vehicles, maintenance software and technology, tools and equipment, service updates and technical bulletins, and complying with safety procedures to include use of personal protective equipment. Additionally, the corporate safety department recommends that all mechanics complete OSHA 30-Hour Training (for general industry). The content of OSHA safety training includes:

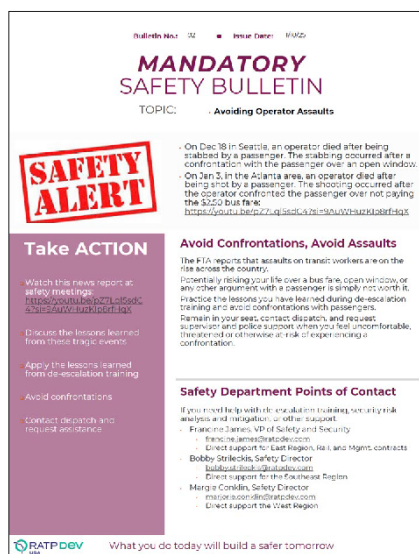
- Hazard Communication (HAZCOM)
- Hazardous Materials (HAZMAT)
- Fall Protection
- Ergonomics
- Bloodborne Pathogens
- Lockout / Tagout (Electrical Safety)
- Personal Protective Equipment
- Fire Prevention and Protection
- Welding and cutting
- Machine Guarding

7.3 Safety Communication

RATP Dev USA implements a variety of safety communication techniques to engage the workforce and shape the company's culture. The safety department issues a series of different types of safety bulletins to enhance safety knowledge, share best practices, and mandate compliance with emerging requirements when needed. The company's monthly newsletter and Blink app regularly features safety messaging, celebrates safety accomplishments, and recognizes employees for safe performance. A dedicated meeting cadence includes monthly safety meetings, monthly all-hands safety manager meetings, monthly safety meetings held locally with frontline employees, and the weekly Executive Accident Review Board (EARB) chaired by the CEO. Additionally, the safety department partners with operations and local teams to launch targeted engagement campaigns and initiatives that are data driven based on safety performance trends. All this information is continuously maintained and made available on a web-based safety resource hub that provides a centralized location for processes, procedures, training materials, videos, job aids, and all other safety related materials in one place.

7.3.1 Safety Bulletins

A foundational component of RATP Dev USA's communication strategy is to engage through a series of bulletins issued by the safety department. There are three types of safety bulletins: informational, recommended, and mandatory. The informational safety bulletins contain no compliance requirements but share information such as the latest industry trends, seasonal changes, explanations of regulatory requirements, and provide guidance on SMS principles. The recommended safety bulletins share best practices, lessons learned, examples from other locations or industries but compliance with a recommendation is not required. The mandatory safety bulletins issue requirements that must be complied with by every effected location. For example, if a defective vehicle component is discovered that has the potential to cause a fire, a mandatory safety bulletin would be issued requiring a maintenance action to remove and replace the potentially faulty component proactively on all effected vehicles. The GMs and SMs are required to post safety bulletins on the bulletin board in their employee lounges and share relevant information from safety bulletins at their monthly safety meetings. The GMs and SMs are also required to update their safety action plans with requirements that come from mandatory safety bulletins. The safety and operations directors have the responsibility for performing oversight to verify compliance with mandatory safety bulletin requirements.



7.3.2 Focus Newsletter and Blink

The business development and marketing department publish a monthly company newsletter that highlights the great work and community engagement that takes place across the company. The safety department works closely with the business development and marketing department to ensure the newsletter consistently features safety messaging, celebrates safety accomplishments, and recognizes employees for safe performance. Additionally, the company has implemented Blink app, which is a mobile-first, all-in-one communication and collaboration platform designed specifically for engagement with front line workers. All employees can make posts, share messages, videos, alerts, and other information that directly reaches the frontline workforce and allows them to acknowledge, comment, and communicate directly through the platform.



7.3.3 Safety Meeting Cadence

The corporate safety department conducts monthly safety meetings for each region (east, southeast, west, seasonal, management/rail). At the meetings, the corporate safety department discusses any new safety bulletins that have been published, any new campaigns or initiatives, as well as other activities such as planned corporate audits, location visits, etc. At these meetings, the GMs are required to provide reports out on 1) the top safety risks facing their operation; 2) the safety action plans in place to mitigate those risks; and 3) the KPIs that measure the effectiveness of their safety risk. The reports include a discussion around what actions are working well, what other locations are doing, and where opportunities for improvement exist. The GMs work with their SMs to strengthen and continuously improve their actions plans based on the feedback. The safety department also holds a monthly all-hands safety meeting with all the SMs in the company. This safety-specific meeting is intended to engage safety managers on expectations specifically for implementing the company's SMS to include best practices, lessons learned, examples from locations across the company, and corporate feedback. As the safety program evolves, the expectations for the SMs continue to evolve and this meeting provides the forum where those expectations are communicated and discussed to achieve a shared understanding across the corporate and field levels. The EARB is a weekly meeting chaired by the CEO that reviews all the NTD major accidents (also known as Level 2s and 3s in the safety event reporting matrix). The safety department also includes significant near-misses and employee voluntary safety reports. At this meeting, the GMs are required to present the results of the investigation conducted in detail with video, pictures, and other information and then present the actions that will be taken to effectively mitigate the underlying risk. The actions reported are then incorporated into their safety action plans in Monday.com for implementation and oversight.

7.3.4 Targeted Safety Campaigns

The corporate safety department partners with the operations department and locations to implement targeted campaigns based on emerging trends in safety performance. For example, in 2024 an intersection safety awareness campaign was launched after a spike in pedestrian strikes revealed they were occurring at intersections. The campaign required all operators to be re-trained in the safety skills required to maneuver through intersections safely (among other actions). The campaign was successful in snapping the trend and improving safety performance. Additionally, there is a seasonality to safety performance. The timeframe from Memorial Day in May through Labor Day in September is commonly referred to as the 101 critical days of summer. Across a variety of industries safety events tend to trend higher during this period, which is attributed to an increase in distraction brought about by significant change (for example, kids being out of school, vacation being planned, adjusting to summer heat, etc.). Each year, RATP Dev USA launches a summer safety campaign designed to mitigate the effects of heat with the goal of mitigating the anticipated upward trend. A similar trend can occur after the transition to wintertime, as freezing temperatures, icy conditions, and holiday preparations create an environment conducive to elevated levels of risk and distraction that adversely affect safety performance. The GMs and SMs of each location are required to work collaboratively with corporate operational and safety leadership to implement targeted campaigns that respond to trends, seasonality, and anticipated elevation in risk levels – before safety events have the opportunity to occur.



7.3.5 Safety and Operations Resource Hubs

The safety and industrial engineering department maintains the safety resource hub, which is a SharePoint based website available on the company intranet that provides a one-stop-shop for safety bulletins, training materials, campaign information, and all other safety related information. By providing a centralized location for all safety resources, any employee can start with the safety resource hub when they are looking for the latest safety bulletin, this plan, or any other information. Additionally, the safety and industrial engineering department maintains the operations resource hub, which encompasses all the best practices, standards, and procedures covering finance, human resources, safety, management, operations, maintenance, customer service, and ethics. All the resources have been integrated into the *GM Digital Binder* providing an easily navigable tool that enables operational leaders to conduct business consistent with values and standards of RATP Dev USA.

- [Internal link to the Safety Resource Hub](#)
- [Internal link to the Operations Resource Hub](#)

8.0 Additional Information

Supporting Documentation
49 CFR Part 670 Public Transportation Safety Program 49 CFR Part 673 Public Transportation Agency Safety Plan National Public Transportation Safety Plan (April 2024) RATP Dev USA Employee Handbook

8.1 Definitions of Special Terms

Term	Definition
Accountable Executive	A single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a transit agency; responsibility for carrying out the transit agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the transit agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the transit agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.
Injury	Any harm to persons as a result of an event that requires immediate medical attention away from the scene.
Investigation	The process of determining the causal and contributing factors of a safety event, for the purpose of preventing recurrence and mitigating safety risk.
Performance Measure	An expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
Public Transportation Agency Safety Plan	The documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and 49 CFR Part 673.
Safety	Freedom from unintentional harm.
Safety Assurance	Processes within a transit agency's SMS that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Attachment A (Continued)

Safety Event	An unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
SMS Executive	Chief Safety Officer or equivalent that is an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer.
Safety Management Policy	A transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities for the management of safety.
Safety Management System	The formal, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing hazards and safety risk.
Safety Performance Target	A quantifiable level of performance or condition, expressed as a value for the measure, related to safety management activities, to be achieved within a specified time period.
Safety Promotion	A combination of training and communication of safety information to support SMS as applied to the agency's public transportation system.
Safety Risk	The composite of predicted likelihood and severity of a potential consequence of a hazard.
Safety Risk Assessment	The formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
Safety Risk Management	A process within a transit agency's Public Transportation Agency Safety Plan for identifying, analyzing, assessing, and mitigating the safety risk of their potential consequences.
Safety Risk Mitigation	A method(s) to eliminate or reduce the likelihood and severity of a potential consequence of a safety risk.
Security	Freedom from intentional harm.
Transit Worker	Any employee, contractor, or volunteer working on behalf of the public transit agency.

Attachment A (Continued)

8.2 Acronyms

Acronym	Word or Phrase
ADA	Americans with Disabilities Act
ASP	Agency Safety Plan
BTW	Behind-The-Wheel
CBA	Collective Bargaining Agreement
CDL	Commercial Driver's License
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CPO	Chief People Officer
DOT	Department of Transportation
EXCO	Executive Council
FTA	Federal Transit Administration
GM	General Manager
KPI	Key Performance Indicator
MIL-STD	Military Standard
OSHA	Occupational Safety and Health Administration
PPE	Personal Protective Equipment
PTASP	Public Transportation Agency Safety Plan
SM	Safety Manager
SMS	Safety Management System
SOP	Standard Operating Procedure
SVP	Senior Vice President
TAPTCO	Transit and Paratransit Company

Appendix A – Safety Management Policy



Title Safety Management Policy	Effective Date February 15, 2025
Approver Matthew Booterbaugh	Revision Date NEW

1) **Purpose.**

- a) The vision of RATP Dev USA is to become the transit industry leader in safety.
- b) The mission is to achieve this vision by developing and implementing a world class, industry-leading Safety Management System (SMS).
- c) The purpose of this safety management policy is to establish RATP Dev USA’s commitment to the development, implementation, and continuous improvement of an integrated SMS that encompasses both operational and occupational safety requirements in accordance with:
 - i) 49 CFR Part § 673 Public Transportation Agency Safety Plan
 - ii) 29 CFR Part § 1910 Occupational Safety and Health Standards
 - iii) RATP Dev WE SAFE Safety Policy (RDSA_SAF_Policy_Safety)
 - iv) State Safety Oversight Agency (SSOA) Program Standards (for rail operations)
 - v) RATP Dev USA’s Public Transportation Agency Safety Plan (ASP)

2) **Scope.**

- a) This policy applies to all RATP Dev USA employees to include those working under both operating and management contracts across all modes (bus, paratransit, and rail).

3) **Definitions.**

- a) **Accountable Executive** – In accordance with 49 CFR Part § 673.23(d)(1) and 49 CFR Part § 673.5 accountable executive means a single, identifiable person who has ultimate responsibility for developing and implementing the SMS by providing control and direction over human and capital resources.
 - i) At the corporate level, RATP Dev USA’s accountable executive is the Chief Executive Officer (CEO).
 - ii) At the location level, RATP Dev USA’s accountable executives are the General Managers (GMs).
- b) **Agency Leadership and Executive Management** – In accordance with 49 CFR Part § 673.23(d)(3), agency leadership and executive management means members of RATP Dev USA’s leadership team, other than the accountable executive or SMS executive, who have authorities and responsibilities for day-to-day implementation and operation of the SMS.
 - i) At the corporate level, RATP Dev USA’s leadership includes the Executive Council (EXCO) who are the CEO’s direct reports and the Senior Leadership Team (SLT) who are director level and above.
 - ii) At the location level, RATP Dev USA’s leadership includes the GMs, their Assistant General Managers (AGMs), and designated key staff.

Attachment A (Continued)

- c) **Executive Council (EXCO)** – The EXCO is composed of the CEO’s direct reports. Specifically, the Chief Financial Officer (CFO), Chief People Officer (CPO), Chief Development Officer (CDO), Senior Vice President (SVP) of Operations, SVP of Safety and Industrial Engineering, and SVP of Risk.
- d) **Key Staff** – In accordance with 49 CFR Part § 673.23(d)(4), staff, groups of staff, or committees designated to support the accountable executive and SMS executive in developing, implementing, and operating SMS.
 - i) At the corporate level, the CEO designates key staff in coordination with the EXCO and formally identifies them in the ASP.
 - ii) At the location level, the GM designates key staff in coordination with their leadership teams, and formally identifies them in the location-specific ASP.
- e) **Public Transportation Agency Safety Plan** – RATP Dev USA’s plan for becoming the industry leader in safety through the development and implementation of a world class SMS.
- f) **Safety Assurance** – In accordance with 49 CFR Part § 673.5, safety assurance is the third component of SMS and reflects processes within RATP Dev USA’s ASP that provide oversight to verify compliance, investigation to determine root cause and corrective action, and data analysis to measure effectiveness. The results of safety assurance activities are incorporated into the safety risk management component of SMS to create a systematic loop that drives continuous improvement.
- g) **Safety Culture** – An environment conducive to employees feeling encouraged and empowered to voice safety concerns across all levels of the organization to include using RATP Dev USA’s voluntary employee safety reporting program without fear of reprisal.
- h) **Safety Management Policy** – In accordance with 49 CFR Part § 673.5, Safety Management Policy is the first component of the SMS and formalizes RATP Dev USA’s commitment to developing and implementing a world class, industry leading safety program.
- i) **Safety Promotion** – In accordance with 49 CFR Part § 673.5, safety promotion is the fourth component of the SMS and reflects RATP Dev USA’s training and engagement efforts to shape safety culture.
- j) **Safety Risk Management** – In accordance with 49 CFR Part § 673.5, safety risk management is the second component of the SMS and reflects a process for proactively identifying, assessing, and mitigating safety risk with an emphasis on taking action before a safety event occurs.
 - i) At the corporate level, the SMS executive is the Senior Vice President of Safety and Industrial Engineering.
 - ii) At the location level, the SMS executive is the Safety Manager (SM) or the GM may serve in this capacity at small locations where no dedicated SM exists.
- k) **SMS Executive** – In accordance with 49 CFR Part § 673.23(d)(2), the SMS executive is the Chief Safety Officer or equivalent that reports directly to and has been designated by the Accountable Executive with responsibility for day-to-day implementation and operation of the SMS.
- l) **SMS** – In accordance with 49 CFR § 673.5, SMS is the proactive, systematic, organization-wide approach to managing safety risk and assuring the effectiveness of safety risk mitigations.
 - i) At the corporate level, the safety department is responsible for leading the effort to develop and oversee implementation of RATP Dev USA’s SMS as defined in the company’s ASP.
 - ii) At the location level, the GM is responsible for working with corporate and leading the implementation of the SMS in accordance with the company’s ASP and additional requirements as applicable.

4) General Policy.

a) RATP Dev USA's SMS is composed of four components:

- i) Safety Management Policy
- ii) Safety Risk Management
- iii) Safety Assurance
- iv) Safety Promotion

b) **Safety Management Policy Requirements.** RATP Dev USA's ASP incorporates and expands upon the following requirements to comply with applicable laws, regulations, and RATP Dev requirements. Refer to ASP Section 2.0 Safety Management Policy for more information.

i) **Safety Management Policy Statement:** In accordance with 49 CFR Part § 673.23(a):

- (1) At the corporate level, the CEO is responsible for signing a Safety Management Policy Statement that includes RATP Dev USA's safety objectives on an annual basis. RATP Dev USA's Safety Management Policy Statement has been included as an appendix to this policy.
- (2) At the location level, GMs are responsible for establishing and signing Safety Management Policy Statements on an annual basis and maintaining them.
- (3) All employees are responsible for knowing that safety is a top value at the company, a safety management policy is in place, the policy is accessible to them, and questions or feedback can be provided directly to their management or to corporate safety through the employee voluntary safety reporting program.

ii) **Employee Voluntary Safety Reporting Program:** In accordance with 49 CFR Part § 673.23(b):

- (1) At the corporate level, the safety department is responsible for maintaining an employee voluntary safety reporting program that allows transit workers to report safety concerns, including assaults on transit workers, near-misses, and unsafe acts and conditions to senior management. The program protects transit workers who report safety conditions to senior management.
- (2) At the location level, GMs and their staff are responsible for actively promoting the employee voluntary safety reporting program, posting the information needed for employees to access and use the reporting mechanism, working with corporate to disposition reports, taking action when deemed necessary, and following up with employees to ensure they know their voices are being heard.
- (3) All employees are responsible for reporting safety risks or concerns when they are identified. Employee feedback, especially from the front line is foundational to proactive safety risk management. Employees are encouraged to report safety concerns directly to the leadership or through the employee voluntary safety reporting program.
- (4) There are conditions when a reporting employee could be subject to discipline, specifically:
 - (a) The employee's action or lack of action was intended to damage RATP Dev USA's equipment
 - (b) The employee's action or lack of action purposely places others in danger
 - (c) The employee's action or lack of action involved a criminal offense
 - (d) The employee's action or lack of action violated a traffic safety law leading to a citation
 - (e) The employee's behavior involved substance abuse
 - (f) The report contains falsified information

Attachment A (Continued)

- iii) Communication: In accordance with 49 CFR Part § 673.23(c):
 - (1) At the corporate level, the safety department is responsible for communicating this Safety Management Policy throughout the organization using email, monthly safety meetings, and other forms of communication in an effort to reach every employee.
 - (2) At the location level, GMs and their staff are responsible for communicating this Safety Management Policy at local safety meetings, posting the policy where the information is accessible to frontline employees, and using other forms of communication to reinforce the effort to reach every employee.
 - (3) All employees have the responsibility to review the safety management policy, ask questions, provide feedback, and contribute to continuously improving the policy.
- iv) Necessary Authorities, Accountabilities, and Responsibilities: In accordance with 49 CFR Part § 673.23(d), RATP Dev USA has established the necessary authorities, accountabilities, and responsibilities for each of the following roles in the ASP:
 - (1) The CEO is the Accountable Executive at the corporate level.
 - (2) The GMs are the Accountable Executives at the location level.
 - (3) The SVP of Safety and Industrial Engineering is the SMS Executive at the corporate level.
 - (4) The safety managers are the SMS Executives at the location level (GMs may also serve in this role at smaller locations).
 - (5) The EXCO are the company's leadership and executive management at the corporate level.
 - (6) The AGMs and designated staff are the company's leadership at the local level.
 - (7) Key Staff are designated by the CEO at the corporate level and GMs designated key staff at the local level; these designations are captured in the ASP.
 - (a) The corporate safety directors are responsible for driving implementation of this Safety Management Policy and ASP.
 - (b) The corporate operations directors are responsible for overseeing implementation of this Safety Management Policy and ASP.
 - (c) The corporate operations and safety directors work together to drive the successful implementation of the company's SMS.
- c) **Safety Risk Management Requirements.** In accordance with 49 CFR Part § 673.25(a), RATP Dev USA describes the safety risk management process in the ASP, including the methods for conducting safety risk identification, safety risk assessment, and safety risk mitigation.
 - i) Safety Risk Identification: In accordance with 49 CFR Part § 673.25(b), RATP Dev USA describes the method for identification of safety risks in the ASP. The methodology includes considering the following sources for data and information used in the identification of safety risks (1) leading and lagging indicator data from safety event reporting, claims, trends in Key Performance Indicators (KPIs), (2) risky behaviors detected by telematics; (3) data and information provided by an oversight authority, including but not limited to FTA, the State, or as applicable, the State Safety Oversight Agency having jurisdiction; (4) data and information regarding exposure to infectious disease provided by the Center for Disease Control (CDC) or a State health authority; (5) results from safety assurance activities to verify compliance and measure effectiveness of operations performance; (6) employee voluntary safety reporting.

Attachment A (Continued)

- (1) At the corporate level, the safety department is responsible for developing, training, and overseeing implementation of the safety risk management standards that include risk identification through research and data driven analysis.
 - (2) At the location level, the GMs and SMs are responsible for meeting corporate safety risk management standards for risk identification by collecting the data, performing risk analysis, and interpreting the results to proactively identify their safety risks.
 - (3) All employees are responsible for promptly reporting safety risks and concerns, providing recommendations on how to mitigate risks, and following-up or escalating when needed to ensure action is taken to effectively mitigate.
- ii) Safety Risk Assessment: In accordance with 49 CFR Part § 673.25(c), RATP Dev USA describes the method for assessing safety risks in the ASP. The methodology includes assessing the likelihood of realizing the safety risk and severity of the consequences with existing mitigations considered. The safety risks shall be prioritized based on the results of the assessment.
- (1) At the corporate level, the safety department is responsible for developing, training, and overseeing implementation of the safety risk management standards that include performing risk assessments to prioritize identified risks in accordance with the MIL-STD-882E methodology.
 - (2) At the location level, the GMs and SMs are responsible for meeting corporate safety risk management standards for risk assessment by applying the MIL-STD-882E methodology resulting in prioritization of risks based on their likelihood to occur and severity of consequences.
 - (3) All employees should maintain for understanding the top risks facing their operation, which is based on the results of the location's safety risk assessment. Employees are responsible for engaging in a constructive dialogue about the risks, how they are mitigated, and opportunities for improvement.
- iii) Safety Risk Mitigation: In accordance with 49 CFR Part § 673.25(d), RATP Dev USA describes the method for identifying the required safety risk mitigations as a result of conducting safety risk assessments to reduce the likelihood of an occurrence and severity of the potential consequences. In addition to risk assessments, the company considers the following sources for risk mitigation: (1) guidance provided by oversight authorities to include the FTA and RATP Dev; (2) guidelines to prevent or control exposure to infectious diseases provided by the CDC or a State health authority.
- (1) At the corporate level, the safety department is responsible for developing, training, and overseeing implementation of the safety risk management standards that include developing mitigations that proactively reduce safety risks, resulting in the systematic reduction of safety events and claims.
 - (2) At the location level, the GMs and SMs are responsible for meeting corporate safety risk management standards for risk mitigation by applying developing and implementing safety action plans that are specific, measurable, achievable, relevant, and time sensitive. The safety action plans must be continuously maintained with actions, completion dates, and personnel assigned to stay current with the constantly changing risk exposure associated with dynamic transit operations.
 - (3) All employees are responsible for complying with actions designed to mitigate risk. Continuously improving safety performance is an inherent responsibility of all transit workers. Employees are responsible for providing feedback on how well risk mitigations are working and recommend ways to improve them and propose additional or alternative mitigations.

Attachment A (Continued)

- d) **Safety Assurance Requirements.** In accordance with 49 CFR Part § 673.27(a), RATP Dev USA describes the safety assurance process in the ASP to include safety performance monitoring and measurement, safety event reporting and investigation, management of change, and continuous improvement.
- i) **Safety Performance Monitoring:** In accordance with 49 CFR Part § 673.27(b), RATP Dev USA describes the methods of safety performance monitoring in the ASP. The monitoring is designed to assure compliance with, and effectiveness of: (1) operations and maintenance standard operating procedures; (2) safety risk mitigations as reflected in safety action plans; (3) information reported through the employee voluntary safety reporting program; (4) KPIs to identify trends that inform proactive risk mitigations.
- (1) At the corporate level, the safety department is responsible for developing, training, and overseeing implementation of safety assurance standards for safety performance monitoring. This includes providing templates for standard operating procedures, overseeing safety action plans, reviewing the quality of safety investigations, engaging locations on employee voluntary safety reports to achieve effective resolution, and providing tools to visualize KPIs.
 - (2) At the location level, the GMs and SMs are responsible for meeting corporate safety assurance standards for safety performance monitoring by maintaining standard operating procedures; implementing effective safety action plans; conducting thorough investigations into safety events; working with the corporate safety department to address employee voluntary safety reports; and monitoring and acting on trends detected in KPIs.
 - (3) Employees are responsible for understanding their safety performance, which can come from telematics systems, coaching, passenger feedback, and other sources. Employees are responsible for working with oversight activities, understanding the results, providing feedback, and making adjustments based on the lessons learned.
- ii) **Safety/Security Event Reporting and Investigation:** A safety or security event means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- (1) At the corporate level, the safety department is responsible for maintaining the incident notification matrix that specifies reporting requirements based on the nature and severity of the safety or security event. The safety department facilitates partners with field on ensure investigations are performed thoroughly with a focus on causal factors and corrective and preventive actions that will effectively mitigate the risk of recurrence. The safety department facilitates the Executive Accident Review Board (EARB) designed to ensure high-severity safety or security events (as defined by the notification matrix) have visibility at CEO and SVP levels with ability to provide leadership direction to further drive thorough investigations and effective action planning.
 - (2) At the location level, the GMs are responsible for promptly reporting safety or security events. Specifically, any security or safety event at Level 2 or above in the notification matrix shall be reported to the GMs corresponding operations director within four hours of becoming aware of the event. The event must be reported in RATP Dev's safety software within the same time period. GMs are responsible for working with the safety department, operations department, and their staff to ensure thorough investigations are conducted that focus on underlying causal factors and lessons learned, which are used to inform robust corrective and preventive actions that are incorporated into the locations safety action plan. GMs are required to present their safety or security events, investigation findings, and planned actions at EARBs.
 - (3) All employees are responsible for cooperating fully with safety reporting and investigation requirements. This responsibility includes promptly reporting safety or security events when they

Attachment A (Continued)

- occur, providing detailed statements, completing drug and alcohol testing when required, and providing any additional information that can help effectively mitigate the risk of a recurrence.
- iii) Management of Change: In accordance with 49 CFR Part § 673.27(c), RATP Dev USA describes how change is managed in the ASP to include identifying and assessing changes that may introduce risk to safety performance. The safety risk management process shall be used to evaluate how a change may impact safety performance and determine how those risks are managed.
- (1) At the corporate level, the safety department is responsible for developing, training, and overseeing implementation of the safety assurance standards for change management. This includes guidance on how to apply the safety risk management approach to identify, assess, and mitigate the risk(s) introduced by change, which comes in a variety of forms such as new equipment, new personnel, new routes or service levels, etc.
 - (2) At the location level, the GMs and SMs are responsible for meeting corporate safety assurance standards for change management by working with safety department to proactively identify changes coming to the operation and applying the safety risk management approach to identify, assess, and mitigate the risk(s) resulting from the changes being introduced.
 - (3) All employees are responsible for reporting safety concerns or risks associated with change. The frontline transit workers are often experiencing change in terms of new buses, streetcars, or other equipment, new route adjustments or frequencies, and other forms of change. These changes have the potential to introduce risk and all employees have a responsibility to proactively report their safety risks or concerns associated with change in an effort to proactively mitigate them.
- iv) Continuous Improvement: In accordance with 49 CFR Part § 673.27(d), RATP Dev USA describes its method of continuous improvement in the ASP to include a process for assessing safety performance and under the direction of the CEO. The systematic approach to continuous improvement includes: (1) identification of deficiencies in the company's SMS; (2) identification of deficiencies in performance against safety targets; (3) complying with any requirements established by RATP Dev, State Safety Oversight Agencies, FTA, state DOTs, or other entities; (4) mitigating safety risks based on implementing the SMS safety risk management and safety assurance processes.
- (1) At the corporate level, the safety department is responsible for developing, training, and overseeing implementation of the safety assurance standards for continuous improvement. This includes conducting audits of training programs, supporting FTA triennial audits, facilitating RATP Dev corporate audits, requiring mitigations that target company-wide systemic risks, and implementing additional initiatives that are designed to strengthen the company's SMS.
 - (2) At the location level, the GMs and SMs are responsible for meeting corporate safety assurance standards for continuous improvement by preparing for and supporting RATP Dev USA audits, RATP Dev corporate audits, FTA triennial audits, implementing companywide risk mitigations, and implementing additional companywide initiatives that are designed to strengthen the company's SMS. GMs and SMs are responsible for ensuring all findings resulting from audits are incorporated into safety action plans and effectively resolved.
 - (3) There is always room for improvement and often, frontline transit workers know these opportunities better than anyone. All employees have a responsibility to communicate opportunities to improve safety by either reporting them directly to their management or using the employee voluntary safety reporting program.

Attachment A (Continued)

- e) **Safety Promotion Requirements.** RATP Dev USA's ASP incorporates and expands upon the following requirements in an effort to cultivate a safety culture that is foundational to the development and implementation of an industry-leading, world class safety program.
- i) **Competencies and Training:** In accordance with 49 CFR Part § 673.29(a), RATP Dev USA describes its safety training program for those directly responsible for safety in the ASP. For the frontline workforce, The RATP Dev USA certified instructor program incorporates the Transit and Paratransit Company (TAPTCO) industry standard. For location managers, the safety management training program incorporates SMS principles and best practices to include use of internal processes and tools that enable effective implementation. The safety training program shall be continuously improved in alignment with the development and implementation of the SMS.
 - (1) At the corporate level, the safety department is responsible for developing and facilitating the implementation of training standards as described in the ASP.
 - (2) At the location level, GMs, SMs, as well as operations and training managers (where applicable) are responsible for meeting corporate training standards by implementing processes, investing resources, and managing their employees to ensure compliance with all training requirements. GMs and SMs are responsible for ensuring that employee and training records are maintained, managed, and retrievable.
 - (3) All employees are responsible for completing their training requirements. This responsibility includes knowing that your training records are on file, current, and complete. Management and employees have joint responsibility for ensuring that all training requirements are met and that employee records properly reflect training completion and currency.
 - ii) **Safety Communication:** In accordance with 49 CFR Part § 673.29(b), RATP Dev USA describes how safety performance information is communicated throughout the company in the ASP. The communication and engagement approach includes a safety meeting cadence, mandatory and informational safety bulletins, a safety resource hub, field visits, a safety bulletin board, and employee recognition. Transit workers are informed of the safety risks relevant to their roles and responsibilities and the mitigations (actions being taken) at monthly safety meetings, posts on bulletin boards, coaching sessions, and other forms of communication and engagement.
 - (1) At the corporate level, the safety department is responsible for conducting monthly safety meetings, issuing safety bulletins, maintaining the safety resource hub, managing the employee voluntary safety reporting program, conducting field visits, facilitating the executive accident review board, and continuously engaging to ensure RATP Dev USA's safety program reaches every employee.
 - (2) At the location level, GMs and SMs are responsible for holding safety meetings with the frontline workforce, disseminating and complying with safety bulletin requirements, addressing employee voluntary safety reports, participating in the executive accident review board, and developing creative ways to engage the workforce to ensure the safety program reaches every employee.
 - (3) All employees are responsible for knowing where they can access the latest safety information whether online or physically. Employees are responsible for knowing they have a voice and have the ability to use it either by communicating directly with their management or using the voluntary employee safety reporting program. Employees are responsible for actively participating in their locations safety meeting cadence, complying with training requirements, safety campaigns, and related activities designed to continuously improve safety performance.

Appendix B – Safety Management Policy Statement

Safety Management Policy Statement



Corporate

In support of RATP Dev USA's vision of being the transportation industry leader in safety and the company's Public Transportation Agency Safety Plan (PTASP), as the quality choice in public transportation, we are committed to continuously improving our safety performance through the development and implementation of a world class, robust Safety Management System (SMS).

COMMITMENT TO SAFETY MANAGEMENT SYSTEM

RATP Dev USA is committed to developing and delivering high quality transit systems, while operating in a manner that continuously improves the operational safety of our services and occupational safety for our employees. RATP Dev USA is committed to the implementation and continuous improvement of an effective SMS aligned with applicable regulatory standards and requirements. Successful implementation of a robust SMS reflects the following outcomes:

- We (all employees) are encouraged and empowered to voice safety and security concerns without fear of reprisal
- We take proactive action in response to safety risks to prevent injuries and safety/security events from occurring
- We know if our actions are working by measuring their effectiveness and we make adjustments when needed
- We apply lessons learned from our safety performance to drive continuous improvement

RATP Dev USA will provide the necessary financial and human resources to develop, implement, and oversee the SMS. Be establishing an industry leading, world class SMS, RATP Dev USA will systematically integrate proactive safety risk reduction practices into operations management that encompass service delivery, rolling stock and facility maintenance, and support services to continuously advance toward achieving the stated outcomes.

2025 RATP DEV USA SAFETY PERFORMANCE TARGETS

- Fatalities: The target is always zero
- Major Event Rate: Reduce Level 2/3 events by at least 10%
- Preventable AFR (P-AFR) – Reduce preventable safety and security events by at least 10%
- Injury Frequency Rate for Loss Time Injuries (IFR-LTI) – Reduce LTIs by at least 10%

0 – Fatalities Target

0.22 – Major Event Rate Target

0.90 – P-AFR Target

1.56 – IFR-LTI Target

0.014 – Pedestrian Collision Rate

2025 RATP DEV USA SAFETY OBJECTIVES

- Refresh RATP Dev USA's Public Transportation Agency Safety Plan
- Expand RATP Dev USA's Safety Key Performance Indicators
- Introduce company standards for Safety Risk Management and Safety Assurance
- Continuously improve Safety Action Plans
- Implement the Employee Voluntary Safety Reporting Program
- Incorporate the latest telematics capability and other safety technologies
- Complete rollout of the claims management process for worker's comp and auto liability
- Centralize and digitize recordkeeping
- Provide safety training for managers and frontline transit workers
- Perform internal audits, support RATP Dev and FTA Triennial audits to drive compliance and improvement

SAFETY STARTS WITH ME

ALL Managers have the responsibility to ensure that safe work conditions are maintained in their assigned work areas for all employees, clients, visitors, and contractors in accordance with regulatory, contractual, CBA, and company requirements.

ALL Employees shall perform their jobs safely in accordance with regulatory, contractual, CBA, and company requirements. Employees shall promptly report safety risks to their supervision or through the voluntary safety reporting program.

Matt Booterbaugh – Chief Executive Officer
Date: February 2025

Matthew Booterbaugh

Digitally signed by
Matthew Booterbaugh
Date: 2025.02.03
13:11:09 -06'00'



Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0380

Agenda Date: 9/2/2025

Agenda #: 7.

Agenda Item Wording:

Approval of Agricultural Conservation Easement Form - A request by Great Valley Land Trust to have their agricultural conservation easement form and content approved as required per the City's adopted Agricultural Preservation Ordinance.

Prepared by:

Paul Bernal, Planning and Community Preservation Director, paul.bernal@visalia.city, (559) 713-4025

Department Recommendation:

Staff recommends that the City Council approve the form and content of the Great Valley Land Trust (GVLT) agricultural conservation easement in accordance with the provisions as defined in Article 3 "Methods of Preservation" of the City of Visalia Agricultural Preservation Ordinance.

Summary:

Great Valley Land Trust has submitted an agricultural conservation easement document. A copy of the "*Deed of Agricultural Conservation Easement*" is attached to this report as Attachment 1. The conservation easement document is being prepared to encumber approximately 160 acres of Prime Farmland to mitigate the conversion of prime farmland or farmland of statewide importance for the following residential development approved as follows:

1. Approximately 32.61 acres of prime farmland in association with Cameron Ranch Estates Tentative Subdivision Map No. 5598 (see Attachment 1).

The remaining 127.39 acres will be established as an "*agricultural conservation easement mitigation bank*" that will allow future projects to secure agricultural conservation easements for their projects on property that is already established for such purposes. Please note staff will track total acreages assigned to future projects to ensure that the "mitigation bank" retains the necessary easement acreage to satisfy project mitigation obligations of local land use authorities for those future projects.

Background Discussion:

As required pursuant to Article 3, Section 18.040.080.D "Approval of the Easement(s)" of the Agricultural Preservation Ordinance (APO), the City Council shall approve the form and content of all agricultural conservation easements to ensure consistency with this chapter. Subsequent easement form reviews, which were initially approved by the City Council, may permit the Council to authorize a designee to review and confirm future easements as addressed in Section 18.04.080.D of the APO.

Great Valley Land Trust is seeking approval by the City Council that their easement form and content complies with the requirements set forth in Article 3 Section 18.04.080 of the APO. Staff has reviewed the easement document submitted by GVLT and concludes that the easement document addresses the provisions as follows:

1. Section 18.04.080.A Easement Acquisition. *The applicant shall convey, or arrange for the*

conveyance of, an area of land meeting its preserved land obligation to a qualified entity for execution of an agricultural conservation easement thereon.

Response: The easement document clearly demonstrates that the applicant is conveying prime farmland to a certified entity (Great Valley Trust) based on their land obligation requirement to mitigate farmland being developed for the residential project as noted above.

2. Section 18.04.080.B.1 through 6 Eligibility of Land for Easement. The preserved land shall meet all of the following requirements to be eligible for placement in an agricultural conservation easement.

1. The preserved land shall be located in the southern San Joaquin Valley, with preference afforded to preserved land located within 10 miles of the City limits. The preserved land must be located outside any city's limits and sphere of influence.

Response: The 160-acre site is located on the southwest corner of Avenue 264 and Road 28 within County of Tulare and approximately 9 miles southwest of Visalia (APN: 147-020-004) (see Attachment 3).

2. The preserved land shall be designated as prime farmland or farmland of statewide importance on the most recent published Farmland Mapping and Monitoring Program (FMMP) map.

Response: The property is designated as "prime farmland" on the most recently published FMMP map (<https://maps.conservation.ca.gov/DLRP/CIFF/>).

3. The preserved land shall be a minimum of 20 contiguous acres in size.

Response: The preserved land is 160 acres.

4. The preserved land shall be zoned and planned for agricultural uses consistent with the purposes of an agricultural conservation easement.

Response: The preserved land is zoned AE-40 per the Tulare County Public Parcel Zoning Lookup Map (<https://tularecounty.ca.gov/rma/planning-building/zoning-entitlements/>).

5. The preserved land shall have at least one verified source of water.

Response: The preserved land is located within the boundaries of the Tulare Irrigation District and is under contract to receive water from this source which is delivered through a district canal via a well/pumping station that draws water from the canal (see Attachment 2).

6. The preserved land shall not be encumbered by any use or structure that would be incompatible with the purpose of the agricultural conservation easement. Such uses shall be deducted from the total acreage being preserved.

Response: The preserved land is not encumbered by any use or structure that would be incompatible with the purpose of the agricultural conservation easement. A review of aerial map imagery (see attached map) and a baseline report does identify a well/pumping station located in the southeast area and a reservoir pond located in the southwest portion of the site. No other additional structure(s) or use(s) are located on the land to be conserved that would be incompatible with the purpose of an agricultural easement.

3. Section 18.04.080.C.1 through 11 Terms of Easement. The agricultural conservation easement shall be consistent with the purpose and intent of this chapter and shall include, at a minimum, the following terms.

1. *The agricultural conservation easement prohibits all residential, commercial, or industrial development and any other land uses or activities that substantially impair or diminish the agricultural productive capacity of the preserved land or that are otherwise inconsistent with the conservation purposes of this chapter.*

Response: GVLTs easement document addresses these items under Section 3 “Prohibited Uses, Section 5 Construction or Placement of Buildings and Other Improvements, Section 6 No Subdivision and Section 7 Extinguishment of Development Rights (see Attachment 1).

2. *The agricultural conservation easement prohibits the landowner from entering into any additional easement, servitude, or other encumbrance that could prevent or impair the potential agricultural use of the preserved land.*

Response: GVLTs easement document addresses this item under Section 27 Granting Subsequent Easements, Interests in Land, or Use Restrictions (see Attachment 1).

3. *The agricultural conservation easement limits the construction of structures to those designed to facilitate agricultural use of the property, except that this division shall not prohibit replacement of an existing home that was present at the time the easement was established so long as the replacement of the home does not prevent the agricultural use of the property. Secondary dwelling units or farmworker housing may also be permitted, so long as the primary use of the property is agricultural.*

Response: GVLTs easement document addresses this item under Section 5 Construction or Placement of Buildings and Other Improvements.

4. *The preserved land to be subject to the agricultural conservation easement will be either obtained from a willing seller or voluntarily conveyed by the applicant.*

Response: Yes, the property owner is encumbering 160-acres with agricultural easements to mitigate prime farmland or farmland of statewide importance being developed for a residential subdivision project as follows:

- a. Approximately 32.61 acres of prime farmland in association with Cameron Ranch Estates Tentative Subdivision Map No. 5598 (see Attachment 1).
- b. Approximately 127.39 acres which GVLT recognizes as conservation easement that will serve as the basis for additional mitigation credits, which may be used to satisfy project mitigation obligations of local land use authorities for future projects.

5. *Any existing financial liens or financial encumbrances on the preserved land shall be subordinated to the agricultural conservation easement.*

Response: Great Valley Land Trust's easement document addresses this item under Section 26 The Landowner's Title Warranty; No Prior Conservation Easements.

6. *The agricultural conservation easement shall be approved by the qualified entity that will hold the easement and executed by all parties with an interest in the preserved land.*

Response: GVLT prepared the Deed of Agricultural Conservation Easement that will be executed by all parties with an interest in the preserved land. The City Council on March 4, 2024, certified GVLT as an entity for the purpose of holding agricultural conservation easements in accordance with the City of Visalia Agricultural Preservation Ordinance.

7. *The agricultural conservation easement is in recordable form and contains an accurate legal*

description of the preserved land.

Response: The Deed of Agricultural Conservation Easement has been prepared in a recordable form and contains an accurate legal description and map of the preserved land (see Attachment 1).

8. *The agricultural conservation easement names the qualified entity as an intended beneficiary and authorizes it to enforce all terms of the easement.*

Response: GVLTL, a California nonprofit public benefit corporation, having an address at 525 West Main Street, Suite 208, Visalia, CA 93291, is named as the “Grantee”, for the purpose of forever conserving the agricultural productive capacity and open space character of the subject property.

9. *The agricultural conservation easement recites that it is intended to satisfy the preserved land obligation imposed by this chapter and that it is subject to the requirements set forth in this chapter.*

Response: GVLTL's easement document addresses this requirement under Recitals Section C (see Attachments 1).

10. *The agricultural conservation easement provides that if the qualified entity holding the easement ceases to exist, ownership of the easement shall pass to another qualified entity.*

Response: Great Valley Land Trust's easement document addresses this requirement under Section 18 Transfer of Easement (see Attachment 1).

11. *The agricultural conservation easement has been approved as to form by the City of Visalia, in accordance with section 18.04.080(D).*

Response: Staff recommends the City Council approve GVLTL's Deed of Agricultural Conservation Easement document. The easement document form and content demonstrate compliance with the City's adopted APO. In addition, GVLTL has been confirmed by the City Council as a qualified entity for the purposes of holding agricultural conservation easements in accordance with the provisions as defined in Article 4 of the City of Visalia Agricultural Preservation Ordinance.

Fiscal Impact: None.

Prior Council Action:

- On August 4, 2025, the City Council approved the form and content of Sequoia Riverlands Trust agricultural conservation easement in accordance with the provisions as defined in Article 3 “Methods of Preservation” of the City of Visalia Agricultural Preservation Ordinance. Unlike prior agricultural conservation easements that were created for a specific development/project subject to the City's Agricultural Preservation Ordinance (APO), this agricultural conservation easement was created as an “*agricultural conservation easement mitigation bank*” that will allow future projects to secure agricultural conservation easements for their projects on property that is already established for such purposes. The conservation easement document encumbered 468 acres of Farmland of Statewide Importance.
- On November 18, 2024, the City Council approved the form and content of Great Valley Land Trust agricultural conservation easement in accordance with the provisions as defined in Article 3 “Methods of Preservation” of the City of Visalia Agricultural Preservation Ordinance.

The conservation easement for the following:

- Approximately 24.66 acres of prime farmland in association with DH Hortons Shepherd Ranch II (formerly Iron Ridge) Tentative Subdivision Map No. 5589 (Attachment 1).
- Approximately 38.42 acres of prime farmland in association with Wathen Castanos Homes Belissa Tentative Subdivision Map No. 5587 (Attachment 2).
- Approximately 43.11 acres of prime farmland in association with San Joaquins Valley Homes approved "Elliot Tentative Subdivision Map No. 5597", and recently submitted Blankship Tentative Subdivision (applications are currently being reviewed for completeness, still pending) (Attachment 3).
- In addition, approximately 14.86 acres which GVLTL recognizes as conservation easement will serve as the basis for additional mitigation credits, which may be used to satisfy project mitigation obligations of local land use authorities for future projects.
- On September 16, 2024, the City Council approved the form and content of Great Valley Land Trust agricultural conservation easement in accordance with the provisions as defined in Article 3 "Methods of Preservation" of the City of Visalia Agricultural Preservation Ordinance. The conservation easement document is being prepared to mitigate the conversion of approximately 34 acres of prime farmland in association with DH Hortons "Pearl Woods Subdivision Map No. 5591".
- On March 4, 2024, the City Council confirmed Great Valley Land Trust as a qualified entity for the purposes of holding agricultural conservation easements in accordance with the provisions as defined in Article 4 of the City of Visalia Agricultural Preservation Ordinance.
- On May 15, 2023, the City Council held a second reading and adopted Ordinance No. 2023-02 (Agricultural Preservation Ordinance).
- On May 1, 2023, the City Council held a public hearing to introduce Ordinance No. 2023-02. The City Council voted 4-0, Vice Mayor Taylor recused, to introduce and adopted Ordinance No. 2023-02 (Agricultural Preservation Ordinance).
- On March 6, 2023, the City Council received a presentation and update on the release of the draft APO. During the Work Session presentation, the consultant and staff provided an overview of the ordinance and received input from the City Council and community on the content of the draft ordinance.
- On December 5, 2022, the City Council received a presentation and provided direction regarding a series of options for the City Council's consideration ahead of a future adoption of an APO to implement General Plan Land Use Policy LU-P-34.
- On August 18, 2022, the City Council adopted Resolution No. 2022-50 which rescinded the adoption of Resolution No. 2021-44, which approved General Plan Amendment No. 2021-01, a request by the City of Visalia to amend language to General Plan Land Use Policy LU-P-34 by removing the requirement to establish an Agricultural Mitigation Program (AMP) for properties converting prime farmland and farmland of statewide importance within Growth Tiers II and III. The adoption of the resolution to rescind the adoption of Resolution No. 2021-44 was based on the ruling of the Superior Court of the State of California, County of Tulare, which invalidated the City of Visalia's approval to General Plan Amendment (GPA) No. 2021-01 and the related certification of an addendum to a previously certified environmental impact

report (EIR).

Other: N/A.

Alternatives:

The City Council can elect to not approve the form and content of Great Valley Land Trust agricultural conservation easements.

Recommended Motion (and Alternative Motions if expected):

I move to approve the form and content of Great Valley Land Trust agricultural conservation easement in accordance with the provisions as defined in Article 3 “Methods of Preservation” of the City of Visalia Agricultural Preservation Ordinance.

Environmental Assessment Status:

The requested action is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) since the activity in question is not a “project” as defined in CEQA Guidelines Section 15378, it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

CEQA Review:

The requested action is not a “project” under CEQA.

Deadline for Action: 9/2/2025

Attachments:

Attachment 1 - Deed of Agricultural Conservation Easement prepared by GVLS

Attachment 2 - Tulare Irrigation District Water Source Statement

Attachment 3 - Aerial Map of Cameron Ranch Estates Easement Area

Attachment 4 - Aerial Location of Existing Infrastructure

**Recording requested by and when
recorded please return to:**

Great Valley Land Trust
525 W. Main St. Ste. 8
Visalia, CA 93291

(Space above this line reserved for Recorder's use)

DEED OF AGRICULTURAL CONSERVATION EASEMENT

This Deed of Agricultural Conservation Easement is granted on this ____ of _____ 2025, by Bernard and Rebecca Te Velde, Trustees of The 2000 Te Velde Family Living Trust dated October 11th, 2000, having an address at 2911 Hanford Armona Rd., Hanford, CA 93230 ("Landowner"), to GREAT VALLEY LAND TRUST, a California nonprofit public benefit corporation, having an address at 525 W. Main St. Ste. 208, Visalia, CA 93291 ("Grantee"), for the purpose of forever conserving the agricultural productive capacity and open space character of the subject property.

RECITALS

- A. The Landowner is the sole owner in fee simple of the conserved farmland property ("Property") legally described in **Exhibit A** ("Legal Description") and generally depicted in **Exhibit B** ("Map"), attached to and made a part of this Agricultural Conservation Easement ("Easement"). The Property consists of approximately 160 acres of land and is located in Tulare County, California, being a portion of assessor's parcel number(s) 147-020-004-000. The Property is open farmland, whose soils have been classified as prime farmland or farmland of statewide importance by the U.S. Department of Agriculture's Natural Resources Conservation Service, and by the California Department of Conservation's Farmland Mapping and Monitoring Program, because this land has the soil quality, growing season, and water supply needed for sustained agricultural production. Tulare County Public Parcel Zoning Lookup Map currently is zoned AE-40
- B. The agricultural and other characteristics of the Property, its current use and state of improvement, are documented and described in a Baseline Documentation Report ("Baseline Report"), prepared by the Grantee with the cooperation of the Landowner and incorporated herein by this reference. The Landowner and the Grantee warrant that the Baseline Report is complete and accurate as of the date of this Easement. Both the Landowner and the Grantee shall retain duplicate original copies of the Baseline Report.

The Baseline Report may be used to establish whether a change in the use or condition of the Property has occurred, but its existence shall not preclude the use of other evidence to establish the condition of the Property as of the date of this Easement.

- C. Artemis Partners, LLC (“Developer”), a Delaware limited liability company, pursuant to Visalia Municipal Code Title 18, Chapter 18.04, Agricultural Land Preservation Program (“APO”) seeks to protect farmland in the Southern San Joaquin Valley by causing the grant of a perpetual conservation easement to mitigate for the conversion of approximately 160 acres of “prime farmland” or “farmland of statewide importance.” Thirty-three (33) acres serves as mitigation for 33 acres of land annexed in connection with the “Cameron Ranch Estates” in Visalia. The remaining 127 remaining acres of land will serve to mitigate for future annexation(s) in Visalia, or similar programs in the Southern San Joaquin Valley under which the Conservation Easement will serve as the basis for issuance of mitigation credits. The City’s acceptance, attached hereto, acknowledges that the terms of this Easement satisfy the requirements of the APO.
- D. The Landowner grants this Easement for valuable consideration to the Grantee for the purpose of assuring that, under the Grantee’s perpetual stewardship, the agricultural productive capacity and open space character of the Property will be conserved and maintained forever, and that uses of the land that are inconsistent with these conservation purposes will be prevented or corrected. The parties agree, however, that the current agricultural use of, and improvements to, the Property, as represented in the Baseline Report completed at the time of this Easement’s recordation, are consistent with the conservation purposes of this Easement.
- E. The conservation purposes of this Easement are recognized by, and the grant of this Easement will serve, the following clearly delineated governmental conservation and environmental policies:
 - 1. The Farmland Protection Policy Act, P.L. 97-98, 7 U.S.C. section 4201 et seq., whose purpose is “to minimize the extent to which Federal programs and policies contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses, and to assure that Federal programs are administered in a manner that, to the extent practicable, will be compatible with State, unit of local government, and private programs and policies to protect farmland;”
 - 2. The California Environmental Quality Act (PRC §§21000 et seq.) which requires that significant impacts to the environment resulting from a project be mitigated to the extent feasible;
 - 3. California Civil Code at Part 2, Chapter 4, (commencing with section 815), which defines and authorizes perpetual conservation easements;
 - 4. California Government Code Section 65966 (a), which states that “any conservation easement created as a component of satisfying a local or state mitigation requirement shall be perpetual in duration”;

5. California Constitution Article XIII, section 8, California Revenue and Taxation Code sections 421.5 and 422.5, and California Civil Code section 815.1, under which this Agricultural Conservation Easement is an enforceable restriction, requiring that the Property's tax valuation be consistent with restriction of its use for purposes of food and fiber production and conservation of natural resources;
 6. Section 10200 et seq. of the California Public Resources Code, which creates the California Farmland Conservancy Program within the Department;
 7. Section 51220 of the California Government Code, which declares a public interest in the preservation of agricultural lands, by providing that "agricultural lands have a definitive public value as open space" and "that the discouragement of premature and unnecessary conversion of agricultural land to urban uses is a matter of public interest";
 8. California Food and Agriculture Code Section 821 states that one of the major principles of the State's agricultural policy is "to sustain the long-term productivity of the State's farms by conserving and protecting the soil, water, and air, which are agriculture's basic resources".
- F. The Grantee is a California nonprofit organization within the meaning of California Public Resources Code section 10221 and California Civil Code section 815.3 and is a tax exempt and "qualified conservation organization" within the meaning of Sections 501(c)(3) and 170(b)(1)(A)(iv) as defined by the United States Internal Revenue Code. Grantee, as certified by a resolution of Grantee's Board of Trustees, accepts the responsibility of enforcing the terms of this Easement and upholding its conservation purposes forever.

GRANT OF AGRICULTURAL CONSERVATION EASEMENT

Now, therefore, for the reasons given, and in consideration of their mutual promises and covenants, terms, conditions and restrictions contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Landowner voluntarily grants and conveys to the Grantee, and the Grantee voluntarily accepts, a perpetual conservation easement, as defined by Sections 815.1 and 815.2 of the California Civil Code and Section 10211 of the California Public Resources Code, and of the nature and character described in this Easement for the purpose described below, and agree as follows:

1. *Conservation Purpose.*

The conservation purpose (“Purpose”) of this Easement is to enable the Property to remain in productive agricultural use in perpetuity by preventing and correcting uses of the Property prohibited by the provisions of this Easement. To the extent that the preservation of the open space character of the Property is consistent with such use, it is within the Purpose of this Easement to protect those values.

2. *Right to Use Property for Agricultural Purposes.*

The Landowner retains the right to use the Property for agricultural purposes, or to permit others to use the Property for agricultural purposes, in accordance with applicable law and this Easement.

3. *Prohibited Uses.*

The Landowner shall not perform, nor knowingly allow others to perform, any act on or affecting the Property that is inconsistent with this Easement. Any use or activity that would diminish or impair the agricultural productive capacity of the Property and open space character protected by this Easement, or that would cause significant soil degradation or erosion, restrict agricultural husbandry practices, or that is otherwise inconsistent with the Conservation Purpose is prohibited (“Prohibited Use”).

“Husbandry practices” means agricultural activities, such as those specified in Section 3482.5(e) of the California Civil Code, conducted or maintained for commercial purposes in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality.

This Easement authorizes the Grantee to enforce these covenants in the manner described herein. However, unless otherwise specified, nothing in this Easement shall require the Landowner to take any action to restore the condition of the Property after any Act of God or other similar event over which the Landowner had no control. The Landowner understands that nothing in this Easement relieves it of any obligation or restriction on the use of the Property imposed by law.

4. *Permission of the Grantee.*

Where the Landowner is expressly required to obtain the Grantee's permission for a proposed use hereunder, said permission (a) shall not be unreasonably delayed or withheld by the Grantee, (b) shall be sought and given in writing, with copies of all documents to be provided to the City, and (c) shall in all cases be obtained by the Landowner prior to the Landowner's undertaking of the proposed use. The Grantee shall grant permission to the Landowner only where the Grantee, acting in the Grantee's sole reasonable discretion and in good faith, determines that the proposed use is not a "Prohibited Use" as defined in Section 3.

5. *Construction or Placement of Buildings and Other Improvements.*

The Landowner may undertake construction, erection, installation, or placement of buildings, structures, or other improvements on the Property only as provided in subsections (a) through (e) below. All other construction, erection, installation, or placement of buildings, structures, or other improvements on the Property is prohibited. Before undertaking any construction, erection, installation or placement that requires permission, the Landowner shall notify the Grantee and obtain prior written permission from the Grantee.

For purposes of this section, the term "improvements" shall not refer to, and specifically excludes, crops, plants, trees, vines, or other living improvements planted for agricultural purposes, nor shall it refer to irrigation improvements necessary or desirable to irrigate the Property for agricultural purposes, all of which may be made without permission of the Grantee.

- (a) Fences – Existing fences may be repaired and replaced without permission of the Grantee. New fences may be built anywhere on the Property for purposes of reasonable and customary agricultural management, and for security of farm produce, livestock, equipment, and improvements on the Property, without permission of the Grantee.
- (b) Utilities and Septic Systems – Wires, lines, pipes, cables or other facilities providing electrical, gas, water, sewer, communications, energy generation, or other utility services solely to serve the improvements permitted herein or to transmit power generated on the Property may be installed, maintained, repaired, removed, relocated and replaced.
- (c) Power generation and transmission facilities primarily for agricultural and other permitted uses on the Property may be constructed only with permission of the Grantee pursuant to Paragraph 4, and must be located in an area not to exceed 5 acres. Power generated in excess of requirements on the Property may be sold to appropriate public utilities. Notwithstanding the foregoing, commercial power generation, collection or transmission facilities, including wind or solar farms and the conveyance of any rights-of-way over, under or on the Property for any such purpose, are prohibited.

6. *No Subdivision.*

The division, subdivision, defacto subdivision, or partition of the Property, including transfer of development rights, whether by physical, legal, or any other process, is prohibited.

The Landowner and Grantee acknowledge and understand that the Property consists of one legal parcel(s) or portions thereof, and that no additional, separate legal parcels currently exist within the Property that may be recognized by a certificate of compliance or conditional certificate of compliance pursuant to California Government Code section 66499.35 based on previous patent or deed conveyances, subdivisions, or surveys. The Landowner will not apply for or otherwise seek recognition of additional legal parcels within the Property based on certificates of compliance or any other authority. The Landowner shall continue to maintain the legal parcels comprising the Property, and all interests therein, under common ownership, as though a single legal parcel.

Lot line adjustment may be permitted only with the written approval of the Grantee pursuant to Section 4, in conjunction with the approval of the local jurisdiction, and for purposes of maintaining, enhancing or expanding agricultural practices or productivity on the Property, provided that the boundaries of this Easement may not be altered by such Lot Line Adjustment.

7. *Extinguishment of Development Rights.*

The Landowner hereby grants to the Grantee all development rights except as specifically reserved in this Easement, that were previously, are now or hereafter allocated to, implied, reserved, appurtenant to, or inherent in the Property, and the parties agree that such rights are released, terminated, and extinguished, and may not be used on or transferred by either party to any portion of the Property as it now or later may be bounded or described, or to any other property adjacent or otherwise, or used for the purpose of calculating permissible lot yield of the Property or any other property. This Easement shall not create any development rights.

8. *General Prohibition on Surface Mining.*

Except as specifically authorized herein, the mining, removal or extraction on or from the area subject to this Easement of soil, sand, gravel, aggregate, rock, oil, natural gas, fuel, or any other mineral substance, through a surface mining, removal or extraction method or from above a depth of 150 feet below the surface of the Property is prohibited. This prohibition includes the installation of roads or pipelines for transportation of the previously stated resources.

If a third party owns or leases the oil, natural gas, or any other mineral rights associated with the Property at the time this Easement is executed, and their interests have not been subordinated to this Easement, the Landowner must require, to the greatest extent possible, that any oil, natural gas, and mineral exploration and extraction conducted by such third

party is conducted in accordance with this Paragraph 8. Any mineral leases or other conveyances of minerals entered into or renewed after the date of this Easement are subordinate to the terms of this Easement and must incorporate by reference the term of this Easement.

This section is not intended to interfere with Landowners' right to remove cobble and hardpan from farm areas in order to prepare the land for agricultural purposes.

9. *Paving and Road Construction.*

Other than existing roads as identified in the Baseline Report, no portion of the Property presently unpaved shall be paved or otherwise covered with concrete, asphalt, or any other impervious paving material, unless such measures are required by air quality laws or regulations applicable to the Property. Except as otherwise permitted herein, no road for access or other purposes shall be constructed without the permission of the Grantee pursuant to Section 4. Notwithstanding the foregoing, construction of unpaved farm roads, as necessary or desirable by agricultural operations, is permitted without permission from the Grantee. The Landowner shall notify the Grantee of any significant relocation or net addition of unpaved farm roads.

10. *Trash and Storage.*

The dumping or accumulation on the Property of any kind of trash, refuse, vehicle bodies or parts, or "Hazardous Materials," as defined in Section 25 is prohibited. Farm-related trash and refuse produced on the Property may be temporarily stored on the Property subject to all applicable laws. The storage of agricultural products and byproducts produced on the Property and materials reasonably required for agricultural production on the Property, including Hazardous Materials, is permitted as long as it is done in accordance with all applicable government laws and regulations.

11. *Commercial Signs.*

Commercial signs (including billboards) unrelated to permitted activities conducted on the Property are prohibited.

12. *Recreational Uses; Motorized Vehicle Use Off Roadways*

Resort structures, athletic fields, golf courses, non-residential swimming pools, public or commercial airstrips, commercial equestrian facilities, public or commercial helicopter pads, and any other non-agricultural recreational structures or facilities are prohibited on the Property. The use of motorized vehicles off roadways is prohibited except where used for agricultural production, property maintenance and security, or for the purpose of monitoring this Easement.

13. *Water Rights.*

The Landowner shall retain and reserve all ground water, and all appropriate,

prescriptive, contractual or other water rights appurtenant to the Property at the time this Easement becomes effective. The Landowner shall not permanently transfer, encumber, lease, sell, or otherwise separate such quantity of water or water rights from title to the Property itself. Permanent separation of water or water rights is prohibited. All water shall be retained in Tulare County for agricultural production and used in conjunction with the improvements permitted by Section 5 of this Easement only.

Water may be temporarily distributed to a contiguous property or other property owned or leased by the Landowner on an annual basis for agricultural production only. Any temporary distribution of water shall not impair the long-term agricultural productive capacity or open space character of the Property.

14. *Rights Retained by the Landowner.*

Subject to Section 7 and to interpretation under Section 23, as owner of the Property, the Landowner reserves all interests in the Property not transferred, conveyed, restricted, prohibited or extinguished by this Easement. These ownership rights include, but are not limited to, the right to sell, lease, or otherwise transfer the Property to anyone the Landowner chooses, as well as the right to privacy, the right to exclude any member of the public from trespassing on the Property, and any other rights consistent with the Purpose of this Easement. Nothing contained herein shall be construed as a grant to the general public of any right to enter upon any part of the Property.

Nothing in this Easement relieves the Landowner of any obligation or restriction on the use of the Property imposed by law.

15. *Responsibilities of the Landowner and the Grantee Not Affected.*

Other than as specified herein, this Easement is not intended to impose any legal or other responsibility on the Grantee, or in any way to affect any existing obligation of the Landowner as owner of the Property. Among other things, this shall apply to:

- (a) Taxes – The Landowner shall be solely responsible for payment of all taxes and assessments levied against the Property. If the Grantee ever pays any taxes or assessments on the Property, or if the Grantee pays levies on the Landowner's interest in order to protect Grantee's interests in the Property, the Landowner will reimburse the Grantee for the same. It is intended that this Easement constitute an enforceable restriction within the meaning of Article XIII, Section 8 of the California Constitution and that this Easement qualify as an enforceable restriction under the provisions of California Revenue and Taxation Code Sections 402.1(a)(8) and 423.
- (b) Upkeep and Maintenance – The Landowner shall be solely responsible for the upkeep and maintenance of the Property, to the extent it may be required by law. The Grantee shall have no obligation for the upkeep or maintenance of the Property. If the Grantee acts to maintain the Property in order to protect the Grantee's interest in the Property,

the Landowner will reimburse the Grantee for any such costs.

- (c) **Liability and Indemnification** – In view of the Grantee’s and the City negative rights, limited access to the land, and lack of active involvement in the day-to-day management activities on the Property, the Landowner shall indemnify, protect, defend and holds harmless the Grantee and the City, their respective officers, directors, members, employees, contractors, legal representatives, agents, successors and assigns (collectively, “Agents and Assigns”) from and against all liabilities, costs, losses, orders, liens, penalties, claims, demands, damages, expenses, or causes of action or cases, including without limitation reasonable attorneys’ fees, arising out of or in any way connected with or relating to the Property or the Easement. As between City, Grantee and Landowner, Landowner shall be solely liable for injury or the death of any person, or physical damage to any property, or any other costs or liabilities resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due to the negligence or willful misconduct of the Grantee, the City, and/or their respective Agents and Assigns. The Grantee shall be named as an additional insured on Landowner’s general liability insurance policy.

Neither the Grantee, the City, nor their Agents and Assigns shall have responsibility for the operation of the Property, monitoring of hazardous conditions on it, or the protection of the Landowner, the public or any third parties from risks relating to conditions on the Property. Without limiting the foregoing, neither the Grantee, nor the City, nor their respective Agents and Assigns shall be liable to the Landowner or other person or entity in connection with consents given or withheld, or in connection with any entry upon the Property occurring pursuant to this Easement, or on account of any claim, liability, damage or expense suffered or incurred by or threatened against the Landowner or any other person or entity, except as the claim, liability, damage, or expense is the result of the gross negligence or intentional misconduct of the Grantee, or the City, or their respective Agents and Assigns.

The Landowner’s indemnification of the City shall extend to ensure that the City shall not incur any liability for the actions or inactions addressed herein.

16. Monitoring.

- (a) The Grantee shall manage its responsibilities as holder of this Easement in order to uphold the Purpose of this Easement. The Grantee’s responsibilities include, but are not limited to, annual monitoring, such additional monitoring as circumstances may require, record keeping, and enforcement of this Easement, for the purpose of preserving the Property’s agricultural productive capacity and open space character in perpetuity. Failure of the Grantee to carry out these responsibilities shall not impair the validity of this Easement or limit its enforceability in any way. With reasonable advance notice (except in the event of an emergency circumstance or prevention of a threatened breach), Grantee shall have the right to enter upon, inspect, observe, monitor

and evaluate the Property to identify the current condition of, and uses and practices on the Property and to determine whether the condition, uses and practices are consistent with this Easement.

- (b) Grantee shall indemnify, defend with counsel of Landowner's choice, and hold Landowner harmless from, all expense, loss, liability, damages and claims, including Landowner's attorneys' fees, if necessary, arising out of Grantee's entry on the Property, unless caused by a violation of this Easement by Landowner or by Landowner's negligence or willful misconduct.
- (c) The Grantee shall report to the City on or before February 1 of each year after the annual monitoring visit, describing method of monitoring, condition of the Property, stating whether any violations were found during the period, describing any corrective actions taken, the resolution of any violation, any requested or approved actions made in accordance with Section 4, and any transfer of interest in the Property. Failure of the Grantee to carry out these responsibilities shall not impair the validity of this Easement or limit its enforceability in any way.

17. Enforcement.

- (a) The Grantee may take all actions, including legal actions, that it deems necessary to ensure compliance with the terms, conditions, covenants, and purposes of this Easement. The Grantee shall have the right to prevent and correct violations of the terms, conditions, covenants, and purposes of this Easement. If the Grantee finds what it believes is a violation or potential violation, it may at its discretion take appropriate legal action to ensure compliance with the terms, conditions, covenants, and purposes of this Easement and shall have the right to correct violations and prevent the threat of violations. Except when an ongoing or imminent violation could irreversibly diminish or impair the agricultural productive capacity and open space character of the Property, the Grantee shall give the Landowner written notice of the violation or potential violation, and thirty (30) days to correct it, before filing any legal action.
- (b) If a court with jurisdiction determines that a violation may exist, has occurred, or is about to occur, the Grantee may obtain an injunction, specific performance, or any other appropriate equitable or legal remedy, including (i) money damages, including damages for the loss of the agricultural conservation values protected by this Easement, (ii) restoration of the Property to its condition existing prior to such violation, and (iii) an award for all of the Grantee's expenses incurred in stopping and correcting the violation, including but not limited to reasonable attorney's fees. The failure of the Grantee to discover a violation or potential violation, or to take immediate legal action to prevent or correct a violation or potential violation known to the Grantee, shall not bar the Grantee from taking subsequent legal action. The Grantee's remedies under this section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

- (c) Without limiting the Landowner's liability, the Grantee shall apply damages recovered to the cost of undertaking any corrective action on the Property. Should the restoration of lost values be impossible or impractical for whatever reason, the Grantee shall apply any and all damages recovered to furthering the Purpose of this Easement.
- (d) In the event the Grantee fails to enforce any term, condition, covenant or purpose of this Easement, as determined by the City, then the City, or their successors and assigns, shall have the right to enforce the Easement after giving notice to the Grantee and the Landowner and providing a reasonable opportunity under the circumstances for the Grantee to enforce any term, condition, covenant, or purpose of the Easement. In the event that the City have reasonable cause to suspect that the Grantee has failed to enforce any of the terms, conditions, covenants, or purposes of the Easement, the City and their successors and assigns shall be entitled to exercise the same right to enter the Property granted to the Grantee, including right of immediate entry in the event of an emergency or suspected emergency where the City or their successor or assign has reasonable cause to determine that immediate entry is required to prevent, terminate or mitigate a violation of this Easement.
- (e) Failure or refusal to exercise any rights under the terms of this Easement by the Grantee or the City in the event of a violation by the Landowner of any term herein shall not constitute a waiver or forfeiture of the Grantee's or the City right to enforce any term, condition, covenant, or purpose of this Easement.

18. *Transfer of Easement.*

- (a) This Easement may only be assigned or transferred to an entity authorized to hold such Easement as specified under Section 10211 of the Public Resources Code and has similar purposes to preserve, is capable of managing the Easement, and protecting the mitigation of the impacts to agricultural lands and open space. Such an assignment or transfer may proceed only if the organization or agency expressly agrees to assume the responsibility imposed on the Grantee by the terms of this Easement and is expressly willing and able to hold this Easement for the Purpose for which it was created. All assignment and assumption agreements transferring the Easement shall be recorded in Tulare County within thirty (30) days.
- (b) If the Grantee should desire to assign or transfer this Easement, the Grantee must obtain written permission from the Landowner and the City, which permission shall not be unreasonably withheld.
- (c) If the Grantee or its successors ever ceases to exist or no longer qualifies under Section 170(h) of the U.S. Internal Revenue Code, or applicable state law, the City, in consultation with the Landowner, shall identify and select an appropriate private or public entity to whom this Easement shall be transferred.

19. Perpetual Duration and No Merger of Title.

- (a) Pursuant to California Civil Code at Part 2, Chapter 4, (commencing with section 815), which defines and authorizes perpetual conservation easements, and California Government Code Section 65966 (a) that requires conservation easements to be perpetual when created to satisfy a local or state mitigation requirement; this Easement shall run with the land in perpetuity. Every provision of this Easement that applies to the Landowner or the Grantee shall also apply to their respective agents, heirs, executors, administrators, assigns, and all other successors as their interests may appear.
- (b) No merger of title, estate or interest shall be deemed effected by any previous, contemporaneous, or subsequent deed, grant, or assignment of an interest or estate in the Property, or any portion thereof, to the Grantee, or its successors or assigns. It is the express intent of the parties that this Easement not be extinguished by, merged into, modified, or otherwise deemed affected by any other interest or estate in the Property now or hereafter held by the Grantee or its successors or assigns.

20. Transfer of Property Interest.

- (a) Any time the Property itself, or any interest in it, is transferred by the Landowner to any third party, the Landowner shall notify the Grantee and the City in writing at least thirty (30) days prior to the transfer of the Property or interest, and the document of conveyance shall expressly incorporate by reference this Easement. Any document conveying a lease of the Property shall expressly incorporate by reference this Easement. Failure of the Landowner to do so shall not impair the validity of this Easement or limit its enforceability in any way.
- (b) Prior to any sale, lease, license or other transfer of any interest in the Property, the Landowner shall inform the prospective transferee of this Easement and its terms and provide them with a copy of this Easement. Any such subsequent owners, lessees, licensees, or transferees shall succeed to and be bound by the terms of the Easement.

21. Amendment of Easement.

- (a) This Easement may be amended only with the written consent of the Landowner, the Grantee, and the City. Any such amendment shall be consistent with the Purpose of this Easement and with the Grantee's easement amendment policies, and shall comply with all applicable laws, including Section 170(h) of the Internal Revenue Code, or any regulations promulgated in accordance with that section, and with Section 815 et seq. of the California Civil Code, and the California Farmland Conservancy Program Act as codified in Section 10200 et seq. of the California Public Resources Code, and any regulations promulgated thereunder. No amendment shall diminish or affect the perpetual duration or the Purpose of this Easement, nor the status or rights of the Grantee under the terms of this Easement.
- (b) This Easement and any amendment to it shall be recorded in Tulare County. A copy

of the recorded amendment shall be provided to the City within thirty (30) days of recordation.

22. Termination of Easement and Eminent Domain.

(a) Termination.

- (i) It is the intention of the parties that the Conservation Purpose of this Easement shall be carried out forever as provided in the Section 10211 of the California Public Resources Code, Section 815 et seq. of the California Civil Code and California Government Code Section 65966 (a). Pursuant to California Government Code Section 65966 (a), this Easement is established to satisfy a local or state mitigation requirement, and cannot be terminated pursuant to the administrative termination provision defined in Public Resources Code sections 10270 et seq.

Accordingly, Landowner expressly waives on behalf of Landowner and Landowner's successors and assigns all rights to terminate or extinguish this Easement, or request that this Easement be terminated or extinguished pursuant to the administrative termination provisions set forth in sections 10270 et. seq. of the Public Resources Code.

- (ii) If circumstances arise in the future that render all of the Purposes of this Easement impossible to accomplish, this Easement may be terminated or extinguished, whether in whole or in part, on the initiative of the Grantee or the Landowner, but only by judicial proceedings in a court of competent jurisdiction. The Grantee shall give notice to the City of any prospective termination or extinguishment of this Easement not less than 60 business days before initiating such proceedings. The City may intervene in any such judicial proceedings to protect or retain this Easement.
- (iii) No inaction or silence by the Grantee shall be construed as abandonment of the Easement. The fact that the Property is not in agricultural use, or that agricultural use is no longer possible, is not reason for termination or extinguishment of this Easement so long as any of the Purposes of this Easement remains possible to accomplish. Other than pursuant to eminent domain or an involuntary acquisition for a necessary public use by public agency, corporation, or other entity or individual with the power of eminent domain (Acquiring Entity), no other voluntary or involuntary sale, exchange, conversion, transfer, assignment, lease, mortgage or other encumbrance, alienation or conveyance of any kind of all or part of the Property, or of any interest in it, shall limit or terminate or extinguish the provisions of this Easement.
- (iv) Should all or part of the Property or any interest in it be proposed for acquisition for a necessary public use by an Acquiring Entity, the Landowner and the Grantee shall join in appropriate actions to recover the full value of the proposed acquisition and all incidental or direct damages resulting from the proposed acquisition as well

as all other payments to which they may be entitled by law (Compensation). The Acquiring Entity shall pay Compensation directly to the Landowner and the Grantee. The Compensation of such proceeding of the Landowner and the Grantee shall be divided in accordance with the proportionate values of the Landowner's and the Grantee's interests as specified in this Section 22(b), unless otherwise provided by applicable law.

- (v) If the Landowner receives notice, formal or informal, that any Acquiring Entity intends to exercise its power of eminent domain as to the Property or any portion thereof or any interest therein, Landowner shall promptly, and in any event in not less than fifteen (15) business days after receipt of such notice, give written notice to the Grantee and the City of such receipt together with a copy of any and all communications related to such prospective eminent domain proceedings. The Landowner shall thereafter promptly provide to the Grantee and the City copies of all further communications related to such proceedings and cooperate with the Grantee and the City in responding to such proceedings.
 - (vi) Acquisition of the Easement through the power of eminent domain is subject to the requirements of Section 10261 of the California Public Resources Code, the eminent domain laws of the State of California, including Section 1240.510 or Section 1240.610 of the Code of Civil Procedure, federal law, and this Easement. The Property may not be taken by eminent domain or in lieu of eminent domain if the planned use is more than seven (7) years in the future (California Code of Civil Procedure section 1240.220). Purchase in lieu of condemnation, or settlement of an eminent domain proceeding, shall occur pursuant to applicable laws and procedures, including but not limited to California Government Code sections 7267.1 and 7267.2, and shall require approval of the Grantee, the City. The Grantee and the City shall have an opportunity to accompany the appraiser for the Acquiring Entity when the appraiser goes on the Property with Landowner.
 - (vii) Should this Easement be condemned or otherwise terminated on any portion of the Property, the balance of the Property shall remain subject to this Easement and reimbursement shall be pro-rated. In this event, all relevant related documents shall be updated and re-recorded by the Grantee to reflect the modified easement area. Encumbrances junior to this Easement shall remain subordinate to the Easement as amended.
- (b) Compensation.
- (i) The grant of this Easement gives rise to a property right immediately vested in Grantee.
 - (ii) Compensation of the Grantee shall proceed as follows: The value of the Easement terminated or extinguished shall be determined in accordance with this Section 22(b), and the Grantee shall receive from the Landowner the entire value of the Easement to the extent terminated or extinguished. Until such compensation is paid to the Grantee in full, the amount of that compensation shall be a first priority lien

on the Property with the same seniority as this Easement. This Easement shall not be deemed terminated or extinguished until such payment is received by the Grantee.

- (iii) The parties stipulate and agree that except as otherwise required by state law, the fair market value of the Easement (the "Easement Value") shall be equal to: (1) the fair market value of the Property, unencumbered by the Easement (the "Property Value"), less (2) the fair market value of the Property as encumbered by the Easement each as determined on or about the date of the termination.
- (iv) The Grantee is entitled to its full share of proceeds as calculated herein regardless of any amount owing to a lienholder, lender or other creditor of Landowner.
- (v) The fair market valuation shall be determined by an appraisal performed by a qualified appraiser jointly selected by the Landowner, the Grantee and the City. Appraisals shall conform to the Uniform Standards of Professional Appraisal Practices.
- (vi) If the Landowner has initiated termination of the Easement through a judicial proceeding, the Landowner shall pay the cost of the appraisal, and the appraisal is subject to approval by the City. Nothing herein shall prevent the Landowner, the Grantee, or the City from having an appraisal prepared at its own expense.
- (vii) If the Grantee obtains payment on a claim under a title insurance policy insuring this Easement, payment shall be distributed as set forth this Section 22(b).

23. Interpretation.

- (a) This Easement shall be interpreted under the laws of the State of California, resolving any ambiguities and questions of the validity of specific provisions so as to give maximum effect to its conservation purposes.
- (b) References to specific authorities in this Easement shall be to the statute, rule, regulation, ordinance, or other legal provision that is in effect at the time this Easement becomes effective.
- (c) No provision of this Easement shall constitute governmental approval of any improvements, construction or other activities that may be permitted under this Easement.

24. Notices.

Any notices to the Landowner and the Grantee required by this Easement shall be in writing and shall be personally delivered or sent by First-Class Mail to the following addresses, unless a party has been notified by the other of a change of address:

To the Landowner:

Bernard and Rebecca Te Velde, Trustees of The 2000 Te

Velde Family Trust dated October 11th, 2000
2911 Hanford Armona Rd.
Hanford, CA 93230

To the Grantee:

Great Valley Land Trust
525 W. Main St. Ste 8
Visalia, CA 93291

Any notices required by this Easement to be sent to the City shall be in writing and shall be personally delivered or sent by First-Class Mail, at the following address, unless a party has been notified by the City, or either one of them, of a change of address:

To the City :

City of Visalia Community Development Dept.
315 E. Acequia Ave.
Visalia, CA 93291

25. The Landowner's Environmental Warranty.

- (a) Nothing in this Easement shall be construed as giving rise to any right or ability in the Grantee or the City to exercise physical or management control over the day-to-day operations of the Property, or any of the Landowner's activities on the Property, or otherwise to become an "owner" or "operator" with respect to the Property as those words are defined and used in environmental laws, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), as amended or any corresponding state and local statute or ordinance.
- (b) The Landowner warrants that it has no actual knowledge of a release or threatened release of any Hazardous Materials on, at, beneath or from the Property other than the use of Hazardous Materials in Landowner's farming operations in compliance with Environmental Laws. Moreover the Landowner hereby promises to defend and indemnify the Grantee and the City against all litigation, claims, demands, penalties and damages, including reasonable attorneys' fees, arising from or connected with the release or threatened release of any Hazardous Materials on, at, beneath or from the Property, or arising from or connected with a violation of any Environmental Laws. The Landowner's indemnification obligation shall not be affected by any authorizations provided by the Grantee to the Landowner with respect to the Property or any restoration activities carried out by the Grantee at the Property; provided, however, that the Grantee shall be responsible for any Hazardous Materials contributed after this date to the Property by the Grantee.
- (c) "Hazardous Materials" means any petroleum, petroleum products, fuel oil, waste oils, explosives, reactive materials, ignitable materials, corrosive materials, hazardous chemicals, hazardous wastes, hazardous substances, extremely hazardous substances,

toxic substances, toxic chemicals, radioactive materials, infectious materials and any other element, compound, mixture, solution or substance which may pose a present or potential hazard to human health or the environment or any other material defined and regulated by Environmental Laws.

- (d) The Landowner warrants that it shall remain in compliance with, all applicable Environmental Laws. The Landowner warrants that there are no notices by any governmental authority of any violation or alleged violation of, non-compliance or alleged non-compliance with or any liability under any Environmental Law relating to the operations or conditions of the Property.
- (e) “Environmental Law” or “Environmental Laws” means any and all federal, state, local or municipal laws, rules, orders, regulations, statutes, ordinances, codes, guidelines, policies or requirements of any governmental authority regulating or imposing standards of liability or standards of conduct (including common law) concerning air, water, solid waste, Hazardous Materials, worker and community right-to-know, hazard communication, noise, radioactive material, resource protection, subdivision, inland wetlands and watercourses, health protection and similar environmental health, safety, building and land use as may now or at any time hereafter be in effect.
- (f) If at any time after the effective date of this Easement there occurs a release, discharge or other incident in, on, or about the Property of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state, or local law, regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or in any way harmful or threatening to human health or the environment, the Landowner agrees to take any steps that are required of the Landowner with respect thereto under federal, state, or local law necessary to ensure its containment and remediation, including any cleanup.

26. The Landowner’s Title Warranty; No Prior Conservation Easements.

The Landowner represents and warrants that at the time of conveyance of this Easement: (1) it owns the entire fee simple interest in the Property, including the entire mineral estate except as otherwise expressly identified in this Easement, and hereby promises to defend this Easement against all claims to the contrary; (2) Any and all financial liens or financial encumbrances with priority over this Easement existing as of the date of the recording of this Easement have been subordinated; and (3) the Property is not subject to any other conservation easement whatsoever.

27. Granting Subsequent Easements, Interests in Land, or Use Restrictions.

- (a) With permission of the Grantee pursuant to Section 4, the Landowner may grant subsequent easements, including conservation easements, interests in land, or use restrictions on the Property. Under no circumstances shall the Grantee approve the granting of subsequent easements, interests in land, or use restrictions that might diminish or impair the agricultural productive capacity or open space character of the

Property.

- (b) The Grantee's written approval shall be obtained at least thirty (30) days in advance of the Landowner's execution of any proposed subsequent easement, interests in land, or use restriction on the Property, and such subsequent easements, interests in land, and use restrictions shall make reference to and be subordinate to this Easement.
- (c) The Grantee shall notify the City immediately upon receipt of request by the Landowner to grant a subsequent easement, interest in land, or use restriction on the Property, and provide copies of documents associated with such a request to the City.
- (d) The Grantee shall notify the City in the event that it approves the grant of any subsequent easement, interest in land, or use restriction on the Property.

28. *Administrative Costs.*

The administration of this Easement by Grantee requires considerable time and expense. Grantee shall bear all routine administrative expenses related to the Easement including, but not limited to the following activities: routine easement monitoring and reporting, and notices of permitted activities, and routine staff work. Landowner agrees to pay the reasonable expenses of Grantee for non-routine administration of the Easement including, but not limited to actions requiring Grantee's prior approval, enforcement of Easement violations and any requests of Landowner that entail or require an amendment to this Easement.

29. *Severability.*

If any term, provision, covenant, condition, or restriction of this Easement is held by a court of competent jurisdiction to be unlawful, invalid, void, unenforceable, or not effective the remainder of this Easement shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

30. *Entire Agreement.*

This Easement, including the attached exhibits and the Baseline Report, is the final and complete expression of the agreement between the parties with respect to the subject matter contained herein. Any and all prior or contemporaneous agreements with respect to this subject matter, written or oral, are merged into and superseded by this written instrument.

The exhibits attached to and included in this Easement are:

Exhibit A - Legal Descriptions

Exhibit B – Maps

31. *Acceptance.*

As attested by the signature of its Executive Director affixed hereto, as authorized by Grantee's Board of Directors/Trustees, in exchange for consideration, the Grantee hereby accepts without reservation the rights and responsibilities conveyed by this Deed of Agricultural Conservation Easement.

To Have and To Hold, this Deed of Agricultural Conservation Easement unto the Grantee, its successors and assigns, forever.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

In Witness Whereof, the Landowner and the Grantee, intending to legally bind themselves, have set their hands on the date first written above.

LANDOWNER

Bernard and Rebecca Te Velde, Trustees of The 2000 Te Velde Family Trust dated October 11th, 2000.

By: _____

Name: Bernard Te Velde

Title: Authorized Representative

GRANTEE

Great Valley Land Trust,
a California nonprofit public benefit corporation

By: _____

Name: Barry Lindner

Title: Board President

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____) ss.

On _____ before me, _____, a Notary Public, personally appeared _____, 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 _____

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____) ss.

On _____ before me, _____, a Notary Public, personally appeared _____, 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 _____

**ACCEPTANCE OF CONSERVATION EASEMENT BY THE CITY OF VISALIA
AND DISCHARGE OF AGRICULTURAL PRESERVATION REQUIREMENT**

The CITY OF VISALIA, a municipal corporation (City), hereby accepts and approves the foregoing *Deed of Agricultural Conservation Easement* (the "Conservation Easement") and the rights conveyed therein.

The city agrees that recordation of this Conservation Easement satisfies 33 acres of Artemis Partners, LLC, a Delaware limited liability company's obligation under Visalia Municipal Code Title 18, Chapter 18.04, Agricultural Land Preservation Program, which requires Artemis Partners, LLC to conserve 33 acres of Prime or Farmland of Statewide Importance" required in connection with the Cameron Ranch Estates project ("Project") approved by the City on _____. The City of Visalia approved the Project subject to preservation requirements including Section 18.04.080.C.9 pursuant to which the Project may purchase and dedicate a conservation easement to mitigate for impacts related to the loss of prime farmland and farmland of statewide importance.

CITY OF VISALIA

By: _____

Name:

Its:

Date: _____

Approved as to Form:

City Counsel

By: _____

Exhibit A.1

EXHIBIT A.1

CONSERVATION EASEMENT

APN 147-020-004

LEGAL DESCRIPTION

THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 23 EAST,
MOUNT DIABLO BASE AND MERIDIAN, ACCORING TO THE OFFICIAL PLAT THEREOF,
LOCATED IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.

CONTAINING APPROXIMATELY 160 ACRES MORE OR LESS

(NOTE-AREAS INDICATED ARE APPROXIMATE AND BASED ON AVAILABLE COUNTY
ASSESSOR INFORMATION)



Exhibit A.2

EXHIBIT A.2

CAMERON RANCH ESTATES AREA
APN 147-020-004 (Portion)
LEGAL DESCRIPTION

THE SOUTH 1198.95 FEET OF THE EAST 1198.95 FEET OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 23 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORING TO THE OFFICIAL PLAT THEREOF, LOCATED IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.

CONTAINING APPROXIMATELY 33 ACRES MORE OR LESS

(NOTE-AREAS INDICATED ARE APPROXIMATE AND BASED ON AVAILABLE COUNTY ASSESSOR INFORMATION)



Exhibit B.1 Map 160 Acres Agricultural Conservation Easement

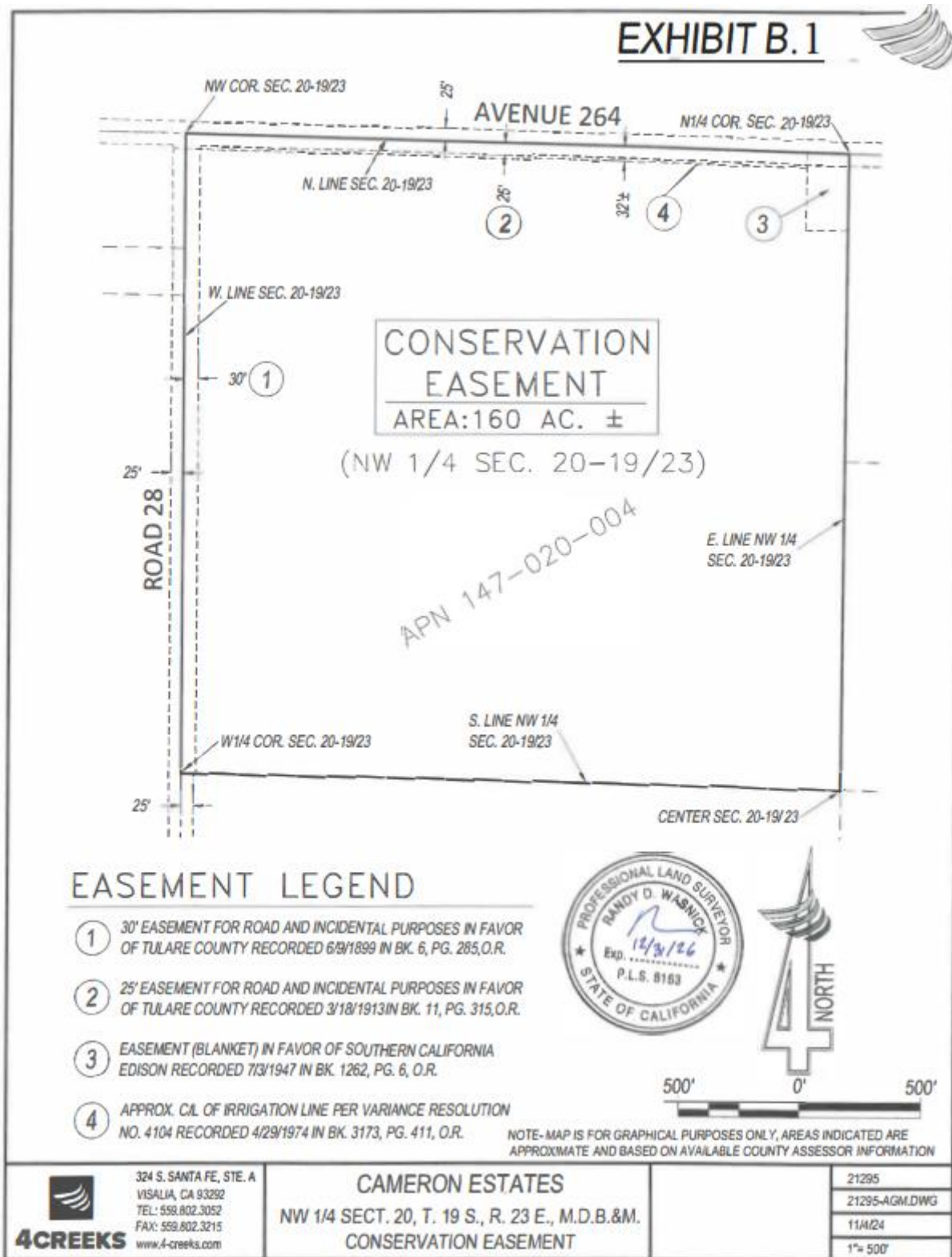
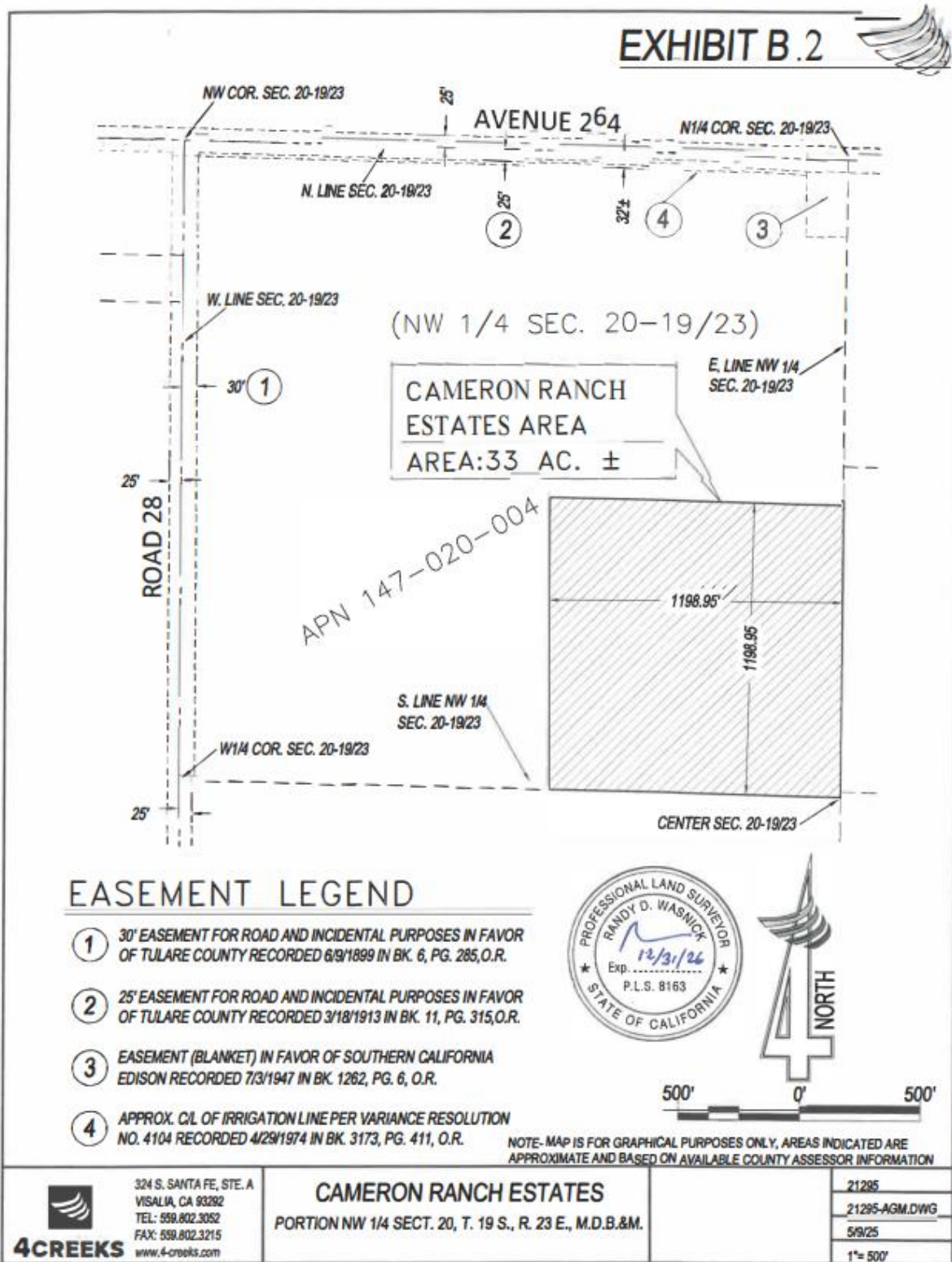


Exhibit B.2

Map of 33 Acres (portion) Easement Annexation for Cameron Ranch Estates Project



TULARE IRRIGATION DISTRICT

Date	Type	Reference	Original Amt.	Balance Due	6/18/2024 Discount	Payment
6/17/2024	Bill	3348	7,426.45	7,426.45		7,426.45
6/17/2024	Bill	9695	369.32	369.32		369.32
6/17/2024	Bill	4163	34,425.00	34,425.00		34,425.00
6/17/2024	Bill	9180	7,386.92	7,386.92		7,386.92
					Check Amount	49,607.69

Golden State Farm Cr

49,607.69



104741

10474

207



MAKE CHECKS PAYABLE TO:
TULARE IRRIGATION DISTRICT
 PO Box 1920
 TULARE, CA 93275-1920
 (559) 686-3425

REMINDER NOTICE STATEMENT OF ASSESSMENT FOR THE YEAR 2024

Bill To:

Te Velde Benard Alan & Rebecca Dee (TRS)
 2911 Hanford Armona Rd.
 Hanford, CA 93230-9379

Assessments are Due and Payable on 11/1/2023
 Customer Account #: 9180

General & Administration (1 Acre or Less): \$67.00
 General & Administration: \$25.00 per Acre
 Surface Water Supply: \$30.00 per Acre
 Capital Improvements: \$30.00 per Acre

Parcel No.	S. T. R.	Acreage	General & Administrative	Surface Water Supply	Capital Improvements	Water Tolls / AR	Total Due
155-010-004-000	05 20 23	173.81	2,172.62	2,607.15	2,607.15	0.00	7,386.92
		173.81	2,172.62	2,607.15	2,607.15	0.00	7,386.92
1st Installment							\$0.00
2nd Installment							\$7,386.92
Total Balance Due:							\$7,386.92

District office address is: 6826 Avenue 240, Tulare, California 93274.

VISA and MasterCard Accepted

A 2.65% credit card service fee will apply if paying by debit or credit card with a minimum fee of \$1.00.

FIRST INSTALLMENT DELINQUENT DATE: **12/20/2023**

SECOND INSTALLMENT DELINQUENT DATE: **6/20/2024**

IMPORTANT TULARE IRRIGATION DISTRICT ASSESSMENT INFORMATION:

Water Code Section 22280 and Section 25502. Any district may assess land and or fix and collect charges for any services furnished by the district.

Water Code Section 22283. A district may prescribe reasonable rules to carry out the provisions of this article.

Water Code Section 25806. Permits the district to ultimately take Collectors deeds to all lands on which charges remain unpaid.

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It is the property owner's responsibility to see that tax liens are satisfied. Failure to receive an assessment statement in no way relieves the property owner of the responsibility of paying proper tax liens when they become due and payable and does not provide a basis for excusing penalties.

Payment of the assessment charges may be made in legal tender of the United States, or by a negotiable check, draft, or money order payable to the order of the Tulare Irrigation District. The acceptance by the Tulare Irrigation District Collector of a check, draft or money order constitutes a payment of the amount due for which it was given as the date of acceptance when, but not before, such paper is actually paid. Should payment on any such paper be refused, the receipt given shall be void and of no effect, and the amount due shall be reinstated. In accepting checks, drafts, etc. the Collector acts only as the payer's collecting agent and assumes no responsibility for the loss resulting from the failure of any bank used as a collecting agency. When paying by check or draft please assure yourself that the paper will be honored. There will be a check return fee for any check returned by the bank for any reason. Partial payments will not be accepted; exact payment in the amount due is required.

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MAKE CHECKS PAYABLE TO:
TULARE IRRIGATION DISTRICT
 PO Box 1920
 TULARE, CA 93275-1920
 (559) 686-3425

REMINDER NOTICE STATEMENT OF ASSESSMENT FOR THE YEAR 2024

Bill To:

Te Velde Bernard & Rebecca (TR 2000 FAM T
 2911 Hanford Armona Rd.
 Hanford, CA 93230-9379

Assessments are Due and Payable on 11/1/2023
 Customer Account #: 4163

General & Administration (1 Acre or Less): \$67.00
 General & Administration: \$25.00 per Acre
 Surface Water Supply: \$30.00 per Acre
 Capital Improvements: \$30.00 per Acre

Parcel No.	S. T. R.	Acreage	General & Administrative	Surface Water Supply	Capital Improvements	Water Tolls / AR	Total Due
147-010-001-000	30 19 24	320.00	4,000.00	4,800.00	4,800.00	0.00	13,600.00
147-020-001-000	19 19 23	170.00	2,125.00	2,550.00	2,550.00	0.00	7,225.00
✓ 147-020-004-000	20 19 23	160.00	2,000.00	2,400.00	2,400.00	0.00	6,800.00
147-020-016-000	19 19 23	2.00	25.00	30.00	30.00	0.00	85.00
147-020-017-000	19 19 23	158.00	1,975.00	2,370.00	2,370.00	0.00	6,715.00
		810.00	10,125.00	12,150.00	12,150.00	0.00	34,425.00
1st Installment							\$0.00
2nd Installment							\$34,425.00
Total Balance Due:							\$34,425.00

District office address is: 6826 Avenue 240, Tulare, California 93274.

VISA and MasterCard Accepted

A 2.65% credit card service fee will apply if paying by debit or credit card with a minimum fee of \$1.00.

FIRST INSTALLMENT DELINQUENT DATE: **12/20/2023**

SECOND INSTALLMENT DELINQUENT DATE: **6/20/2024**

IMPORTANT TULARE IRRIGATION DISTRICT ASSESSMENT INFORMATION:

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MAKE CHECKS PAYABLE TO:

TULARE IRRIGATION DISTRICT

PO Box 1920

TULARE, CA 93275-1920

(559) 686-3425

**REMINDER NOTICE
STATEMENT OF ASSESSMENT
FOR THE YEAR 2024**

Bill To:

Te Velde Bernard A & Rebecca D (TRS)
c/o Bernard A Te Velde 2000 Fam Tr
2911 Hanford-Armona Rd
Hanford, CA 93230

Assessments are Due and Payable on 11/1/2023

Customer Account #: 9695

General & Administration (1 Acre or Less): \$67.00

General & Administration: \$25.00 per Acre

Surface Water Supply: \$30.00 per Acre

Capital Improvements: \$30.00 per Acre

Parcel No.	S. T. R.	Acreage	General & Administrative	Surface Water Supply	Capital Improvements	Water Tolls / AR	Total Due
123-480-006-000	17 19 25	8.69	108.62	130.35	130.35	0.00	369.32
		8.69	108.62	130.35	130.35	0.00	369.32
1st Installment							\$0.00
2nd Installment							\$369.32
Total Balance Due:							\$369.32

District office address is: 6826 Avenue 240, Tulare, California 93274.

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FIRST INSTALLMENT DELINQUENT DATE: **12/20/2023**

SECOND INSTALLMENT DELINQUENT DATE: **6/20/2024**

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 TULARE, CA 93275-1920
 (559) 686-3425

REMINDER NOTICE STATEMENT OF ASSESSMENT FOR THE YEAR 2024

Bill To:

Te Velde Bernard A Jr & Rebecca D (TRS)
 13866 4th Ave
 Hanford, CA 93230-8800

Assessments are Due and Payable on 11/1/2023
 Customer Account #: 3348

General & Administration (1 Acre or Less): \$67.00
 General & Administration: \$25.00 per Acre
 Surface Water Supply: \$30.00 per Acre
 Capital Improvements: \$30.00 per Acre

Parcel No.	S. T. R.	Acreage	General & Administrative	Surface Water Supply	Capital Improvements	Water Tolls / AR	Total Due
147-060-020-000	32 19 23	79.24	990.50	1,188.60	1,188.60	0.00	3,367.70
147-060-021-000	32 19 12	79.24	990.50	1,188.60	1,188.60	0.00	3,367.70
150-050-017-000	19 19 25	16.26	203.25	243.90	243.90	0.00	691.05
		95.50	2,184.25	2,621.10	2,621.10	0.00	7,426.45
1st Installment							\$0.00
2nd Installment							\$7,426.45
Total Balance Due:							\$7,426.45

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Ave 264

Rd 28

Farmland Mitigation
127 Ac.





147-020-004

Cameron Estates
33 Ac.



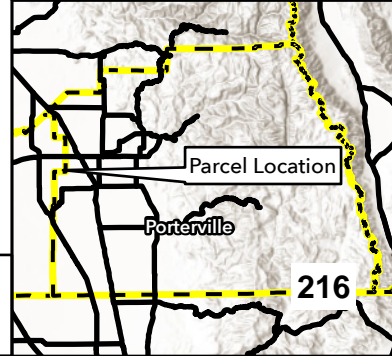
**Cameron Estates
Baseline Documentation**
Farmland Mitigation

Legend

-  147-020-004 Parcel Boundary
-  Cameron Ranch Estates
-  Residual Credit Area
-  Parcels

References:
Tulare County
Assessor

Location within Tulare County

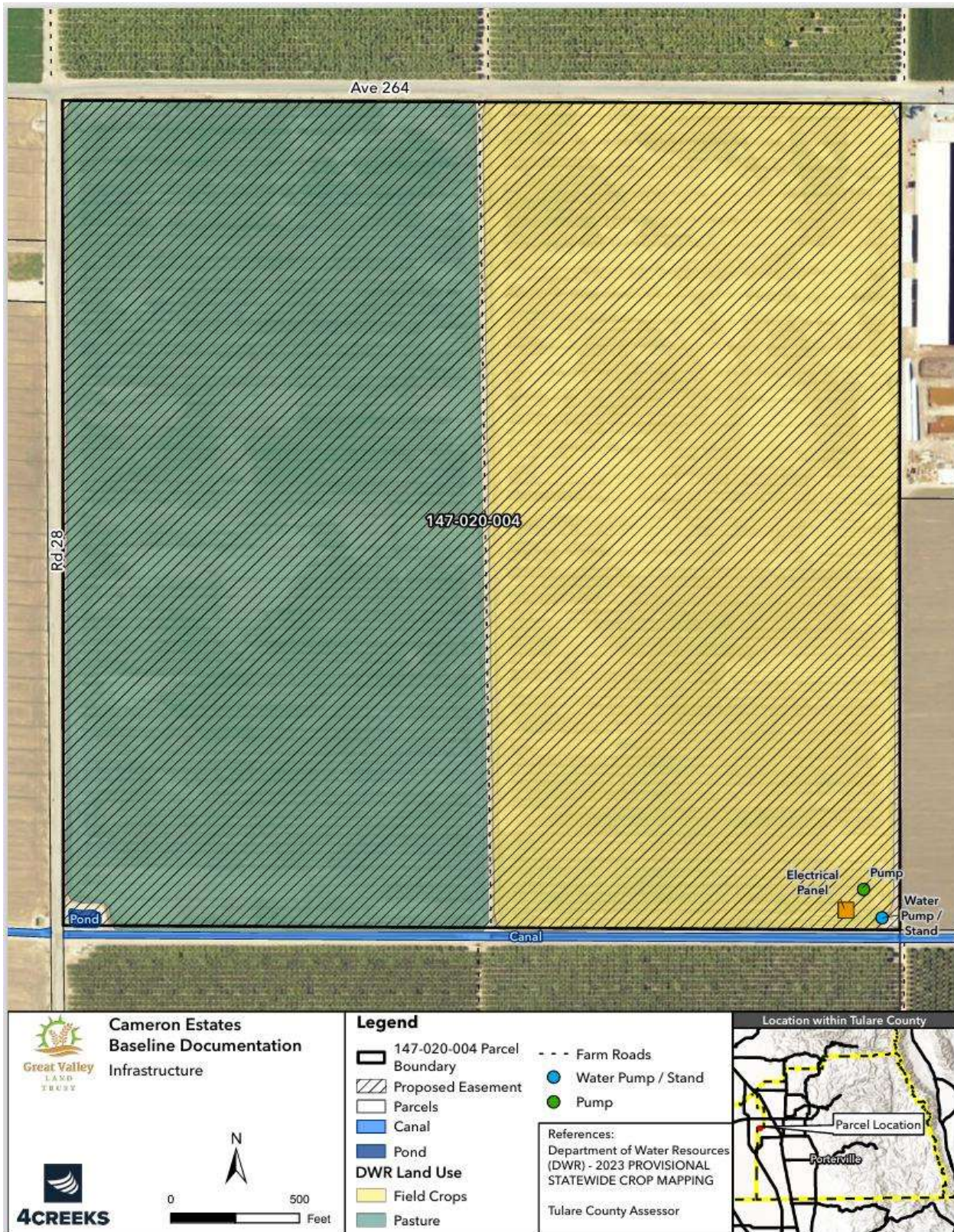


0 500
Feet



4CREEKS

FIGURE 3– EXISTING INFRASTRUCTURE





Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0382

Agenda Date: 9/2/2025

Agenda #: 8.

Agenda Item Wording:

Authorize an updated resolution to receive and appropriate Homekey+ Funds - Approve an updated resolution (2025-64) authorizing a joint application with Self-Help Enterprises and Crescent Meadows LP for Homekey+ funds not to exceed \$15 million; and appropriate \$15 million in Homekey+ funds for the Crescent Meadows project, contingent upon an award.

Prepared by: Margie Perez, Housing Specialist, margie.perez@visalia.city, (559) 713-4460; Melody Murch, Assistant Finance Director, melody.murch@visalia.city, (559) 713-4379; Renee Nagel, Finance Director, renee.nagel@visalia.city, (559) 713-4375.

Department Recommendation:

Staff recommends that Council:

- 1) Adopt Resolution 2025-64 authorizing a joint application with Self-Help Enterprises and Crescent Meadows LP for Homekey+ funds not to exceed \$15 million for the Crescent Meadows Project as required by California Department of Housing and Community Development; and
- 2) Appropriate Homekey+ funds up to \$15 million for the development and operation of the Crescent Meadows project.

Summary:

On February 3, 2025, Council authorized resolution 2025-02 approving an application in conjunction with co-applicant Crescent Meadows LP for Homekey+ funds not to exceed \$12 million to assist with the development and operation of the Crescent Meadows Project to develop an 80-unit senior affordable housing project with 24 Homekey+ assisted units. On August 15, 2025, California Department of Housing and Community Development (HCD) notified the City that it must provide an updated resolution which includes Self-Help Enterprises as a second co-applicant in addition to Crescent Meadows LP in order to proceed with the Homekey+ application. HCD recommends increasing the resolution approved amount to \$15 million in the event the Homekey+ award is more than expected. Approval of this item will also appropriate \$15 million in Homekey+ funds for the Crescent Meadows project, contingent upon an award of Homekey+ funds.

Background Discussion:

On November 26, 2024, the California Department of Housing and Community Development (HCD) in collaboration with the California Department of Veterans Affairs (CalVet), announced the availability of approximately \$2.145 billion of Homekey+ grant funding statewide and approximately \$117 million will be available for the San Joaquin Valley, derived from Proposition 1 as shown in Attachment "A" - Homekey+ NOFA. Homekey+ is the permanent housing component of the Behavioral Health Infrastructure Bond Act, part of Proposition 1 passed by California voters in March 2024. Homekey+ supports the development of Permanent Supportive Housing (PSH) for Veterans and individuals with

mental health or substance use disorder challenges who are at-risk of or experiencing homelessness.

Homekey+ NOFA: The Homekey+ funding available in this NOFA is targeted to provide Permanent Supportive Housing for individuals or households with an individual who is Homeless, Chronically Homeless, or At Risk of Homeless, and who are also living with a Behavioral Health Challenge. Homekey+ provides applicants the flexibility to take advantage of opportunities available within their specific communities that will result in the prompt acquisition and availability of new homes with a focus on cost containment. It will also finance new construction for projects that can be built quickly in a cost-efficient manner. Examples of eligible uses include acquisition and rehabilitation of existing sites (e.g. hotels/motels, apartments), master leasing, new construction, and the purchase of affordability covenants. All Homekey+ projects are required to have an abundance of supportive services within one-half mile or on-site to ensure tenants long-term housing stability and prevent recidivism.

On April 3, 2025, the City of Visalia and co-applicant Crescent Meadows LP applied for Homekey+ funds to assist with the development and operation of the Crescent Meadows Project to develop an 80-unit senior affordable housing project with 24 Homekey+ assisted units. To proceed with the Homekey+ application the City is required to execute an updated Resolution to include a second co-applicant Self-Help Enterprises in addition to Crescent Meadows LP. HCD recommends increasing the resolution amount to \$15 million in the event the awarded amount is higher than expected.

Crescent Meadows: Crescent Meadows is an 80-unit senior affordable housing project with one- and two-bedrooms located at the northwest corner of Ferguson Ave. and N. Dinuba Blvd. in the City of Visalia. Crescent Meadows is being developed by Crescent Meadows, L.P., a California Limited Partnership in partnership with Self-Help Enterprises, and Visalia Senior Housing (VSH). The project will be affordable senior housing serving individuals over the age of 62, and 24 units will be set aside for seniors experiencing homelessness, or at-risk of homelessness.

Next Steps: if awarded Homekey+ funds the Homekey+ contract agreement will be executed, and construction will begin in the fall of 2025. Construction is expected to last 24 months and be completed in the fall of 2027. Full occupancy is expected by winter of 2027.

Fiscal Impact: Approval of this item will appropriate the Homekey+ funds, contingent upon award, for an amount not to exceed \$15 million toward the development and operation of the Crescent Meadows senior housing project. No General Fund money is requested or budgeted for this project.

Prior Council Action: February 3, 2025 - Council authorized resolution 2025-02, approving staff to apply for up to \$15 million in Homekey+ funds for the development of Crescent Meadows an 80-unit senior affordable housing project with 24 Homekey+ assisted units.

Other: None.

Alternatives: None.

Recommended Motion (and Alternative Motions if expected):

I move that Council:

•

Adopt Resolution 2025-64 authorizing a joint application with Self-Help Enterprises and Crescent Meadows LP for Homekey+ funds not to exceed \$15 million; and

- Appropriate up to \$15 million in Homekey+ funds for the development and operation of the Crescent Meadows project, contingent upon award.

Environmental Assessment Status: N/A

CEQA Review: N/A

Deadline for Action: 9/2/2025

Attachments: Attachment A: Resolution 2025-64

AUTHORIZING RESOLUTION

RESOLUTION NO. 25-64

CRESCENT MEADOWS PROJECT

A RESOLUTION OF THE GOVERNING BODY OF CITY OF VISALIA AUTHORIZING JOINT APPLICATION TO AND PARTICIPATION IN THE HOMEKEY+ PROGRAM

WHEREAS:

- A. The Department of Housing and Community Development (“HCD”) has issued a Notice of Funding Availability, dated November 26, 2024 (“NOFA”), for the Homekey+ Program (“**Homekey+**” or “**Program**”). HCD has issued the NOFA for Homekey+ grant funds pursuant to Health and Safety Code Section 50675.1.3 (Assem. Bill No. 140 (2021-2022 Reg. Sess.), § 20.); Health and Safety Code Section 50675.1.5 (Assem. Bill No. 531 (2023-2024 Reg. Sess.); Section 14184.402 of the Welfare and Institutions Code; Section 5891.5 of the Welfare and Institutions Code; and Round 5 and 6 of the Homeless Housing, Assistance and Prevention (HHAP) grant program. (Assem. Bill No. 129 (Chapter 40, Statutes 2023) and Assem. Bill No. 166 (Chapter 48, Statutes 2024), respectively.
- B. **CITY OF VISALIA** (“**Applicant**”) desires to jointly apply for Homekey grant funds with **SELF-HELP ENTERPRISES and CRESCENT MEADOWS, L.P.** (“**Co-Applicant**”). Therefore, Applicant is joining Co-Applicant in the submittal of an application for Homekey+ funds (“**Application**”) to HCD for review and consideration.
- C. HCD is authorized to administer Homekey+ pursuant to the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code). Homekey+ funding allocations are subject to the terms and conditions of the NOFA, the Application, the Department-approved STD 213, Standard Agreement (“**Standard Agreement**”), and all other legal requirements of the Homekey+ Program.

THEREFORE, IT IS RESOLVED THAT:

1. Applicant is hereby authorized and directed to submit a joint Application to HCD in response to the NOFA, and to jointly apply for Homekey+ grant funds in a total amount not to exceed **\$15,000,000**.
2. If the Application is approved, Co-Applicant is hereby authorized and directed to enter into, execute, and deliver a Standard Agreement in a total amount not to exceed **\$15,000,000**, any and all other documents required or deemed necessary or appropriate to secure the Homekey+ funds from HCD and to participate in the Homekey+ Program, and all amendments thereto (collectively, the “**Homekey+ Documents**”).
3. Applicant acknowledges and agrees that it shall be subject to the terms and

conditions specified in the Standard Agreement, and that the NOFA and Application will be incorporated in the Standard Agreement by reference and made a part thereof. Any and all activities, expenditures, information, and timelines represented in the Application are enforceable through the Standard Agreement. Funds are to be used for the allowable expenditures and activities identified in the Standard Agreement.

4. **The Mayor** is authorized to execute the Application and the Homekey+ Documents on behalf of Applicant for participation in the Homekey+ Program.

PASSED AND ADOPTED this 2nd day of September, 2025, by the following vote:

AYES: ☐ NAYES: ☐ ABSTAIN: ☐ ABSENT: ☐

The undersigned, **Leslie Caviglia, City Manager** of Applicant, does hereby attest and certify that the foregoing is a true and full copy of a resolution of the governing body adopted at a duly convened meeting on the date above-mentioned, and that the resolution has not been altered, amended, or repealed.

SIGNATURE: _____

DATE: _____

NAME: _____

TITLE: _____



Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0385

Agenda Date: 9/2/2025

Agenda #: 1.

Agenda Item Wording:

Amendment to Measure N Budget - Conduct the second public hearing to appropriate additional funds of \$519,638 for the modernization of elevators within both parking structures and Fire Station 52.

Prepared by: Donny MacLennan, Building Maintenance Superintendent 713-4525; donny.maclennan@visalia.city Alvin Dias, Parks and Facilities Manager 713-4564; alvin.dias@visalia.city Jason Glick, Parks and Recreation Director 713-4042; jason.glick@visalia

Department Recommendation: Conduct the second of two Public Hearings to amend the Measure N budget to appropriate an additional \$519,638 for the modernization of elevators within both parking structures and Fire Station 52.

Upon completion of the public hearing, staff is requesting Council to approve the appropriation of \$519,638 for the modernization of elevators within both parking structures and Fire Station 52.

Summary:

Measure N, the ½ cent sales tax that began April 1, 2017, requires the City to conduct two Public Hearings before amending the 2025/26 spending plan to appropriate additional funds for the modernization of elevators within both parking structures and Fire Station 52. The cost of the amendment is \$519,638.

On August 4, 2025, the City Council approved change orders 1 through 3 with TK Elevator in the amount of \$199,306 and for staff to initiate the Measure N budget amendment process to appropriate an additional \$519,638 for FY 2025/26.

On August 11, 2025, City Staff met with the Measure N Committee and presented the recommended amendment, including a detailed summary of the request, the increased budget, and why the increases were necessary. Upon being presented with the proposed amendment and appropriation, the committee was provided with an opportunity for comments. Upon accepting the motion, the committee recommended approval of this item.

On August 18, 2025, City Council conducted the first of two public hearings to amend the Measure N budget.

Background Discussion:

Measure N serves as the funding source to repair buildings. These projects are typically roof repairs, HVAC replacements, and large miscellaneous repairs to City facilities. The City currently operates thirteen (13) elevators at various facilities. There are two (2) elevators within the West Acequia Parking Structure (located across from the Hospital), one (1) at the East Acequia Parking Structure (located across from City Hall East), and one (1) at Fire Station 52 (located at 2224 W. Monte Vista).

Of these elevators only one elevator is currently operational at West Acequia Parking Structure. The other three (3) elevators have experienced operational failures and have been out of service for almost a year due to part manufacturing, repair personnel availability and the time involved in design.

On November 18, 2024, Council awarded a contract to TK Elevator for \$804,013 to modernize the four elevators by doing a major overhaul on them. Over the last six months, TKE has been manufacturing components for the elevators. Since the contract award, tariffs have been put in place by the Federal Government causing an increase in material costs by \$10,000 (change order #1). In addition, it was discovered that the insulation inside the hydraulic tank of the south elevator at the West Acequia Parking Structure had separated and contaminated the hydraulic oil, destroying the hydraulic control valve. The cost for the removal and installation of new hydraulic tanks is \$90,000 (change order #2)

Staff is also anticipating a third change order for the replacement and relocation of the elevator hydraulic line at Fire Station 52 for an estimated cost of \$100,000 (potential change order #3). TK Elevator will need to install the new hydraulic ram to test the existing hydraulic line. It is hopeful that the line is functional, but if the line fails the pressure test, the City will need to install a new hydraulic line across the building from the machine room to the elevator.

TKE has also informed staff that the Fire, Life, Safety systems will need to be updated to meet the current building code. This update will be completed by another vendor who coordinates with TKE. Staff are also requesting a 10% construction contingency for any unforeseen issues that may arise.

The East Parking Structure was built in 2001 (24 years old) and the West Parking Structure was built in 2007 (18 years old). Both the Parking Structures have been experiencing equipment failures, costly repairs, and many of the replacement parts have become obsolete. Staff have been working with TK Elevators for the past several years to keep the elevators functional and in compliance with the State of California regulations. This has led to costly repairs and the elevators to be down for long periods of time until replacement parts could be located. The non-functioning elevators have become more frequent as the elevators continue to age and have become especially noticeable at the West Acequia Parking Structure due to the high-volume use for Kaweah Health patients and staff.

There are two (2) elevators within the West Acequia Parking Structure and one (1) at the East Acequia Parking Structure. Of these elevators only one elevator is currently operational at West Acequia Parking Structure and continues require maintenance to resolve functional issues. The other two (2) elevators have experienced operational failures and have been out of service for several months.

Fire Station 52 was built in 1995 and is 30 years old. The elevator has been non-operational since April 2024 after failing the State required load test. During this time, TK Elevators discovered that the hydraulic ram that lifts and lowers the elevator cart was failing and would need to be replaced for the elevator to pass inspection and be operable for use. This is a costly repair due to the design of the system.

To get the three elevators operational (2 at parking structures + 1 at Station 52) and modernize the one functional elevator, Council awarded a contract to TK Elevator for \$804,013 to modernize the four elevators by doing a major overhaul on them in November 2024. Over the last six months, TKE has been manufacturing components for the elevators. Since the contract award, material costs have

been documented to have increased by \$10,000 (change order #1). In addition, it was discovered that the insulation inside the hydraulic tank of the south elevator at the West Acequia Parking Structure had separated and contaminated the hydraulic oil, destroying the hydraulic control valve. During the original evaluation of the elevators the hydraulic tanks were in good condition. The cost for the removal and installation of new hydraulic tanks is \$90,000 (change order #2)

Staff is also anticipating a third change order (change order #3) for the replacement and relocation of the elevator hydraulic line at Fire Station 52. The existing hydraulic line runs under the concrete bays and is directly buried in the soil. TK Elevator will need to install the new hydraulic ram to test the existing hydraulic line. It is hopeful that the line is functional, but if the line fails the pressure test, we will need to install a new hydraulic line across the building from the machine room to the elevator. The estimated cost for this change order is \$100,000. These three change orders total \$199,306.

In addition, TKE has informed staff that the Fire, Life, Safety systems will also need to be updated to meet the current building code. The System will need to be updated for the three non-operating elevators plus the one functional at the West Parking Structure. This work will need to be performed by another vendor who will coordinate with TKE. Staff are currently receiving quotes from our current vendor for the system upgrade. If the price is more than \$100,000, staff will return to Council for the award. This does not need to be approved by the Measure N Committee, just the budget amendment.

Measure N Budget Amendment Process:

- Recommendation to City Council to make changes and present them to the Measure N Committee;
- Staff receives comments by Committee;
- Staff conducts two public hearings at regular Council Meetings to consider amendments.

Staff is requesting that the Council proceed with the Measure N process and conduct the second public hearing in order to continue with the Measure N budget amendment process for the three change orders, Safety System upgrades, and a 10% construction contingency for any unforeseen issues that may arise totaling \$519,638.

Any remaining funds at the completion of the elevator modernization project would be disbursed back to the Measure N funds.

Fiscal Impact: During the 2024/25 Budget process, Council approved a \$1.18 million capital project in the Measure N Fund for Building Maintenance. This project is used for roof repairs, HVAC replacements, and large miscellaneous repairs to City facilities.

The life expectancy of an elevator is now twenty years. Based on the age of the elevators and ongoing issues, staff had included the elevator repairs in the budget to be performed in phases, starting with the two (2) elevators at the West Acequia Parking Structure in FY 24-25, and the one (1) elevator at the East Acequia Parking Structure to be completed in FY 25-26. Fire Station 52 was not originally included in the budget due to not having any major issues. To stay within the elevator budget, Station 52 was swapped with the second elevator in the West Parking Structure.

Staff are requesting to continue the Measure N amendment process to appropriate an additional

\$519,638 as shown in the table below.

Modernization of elevators within both parking structures and Fire Station 52 Project	
Current Budget	\$804,013
Change Order #1 – Tariff cost increase	\$9,306
Change Order #2 – Hydraulic Oil Reservoir Tanks (West Parking Structure)	\$90,000
Anticipated Change Order #3 – Hydraulic line replacement and relocation (Fire Station 52)	\$100,000
Fire, Life, Safety required upgrades – All elevators (estimate)	\$200,000
Construction Contingency (est.10%)	\$120,332
Total Estimated Project Costs	\$1,323,651
Total Additional Appropriation Request	\$519,638

Prior Council Action:

August 18, 2025 - City Staff presented the first of two public hearings.

August 4, 2025 - Authorized staff to enter into Measure N Amendment Process and approved change orders 1 through 3 to TK Elevator.

June 17, 2024 - the City Council approved the appropriation of \$310,000 in CIP CP0250 for the modernization of the elevators within the 300 E Acequia Parking Structure.

Other: None

Alternatives: Reject staffs request to conduct a public hearing and perform a second Request for Bids. This will delay the repairs and use of the elevators to reach the upper levels of the facilities.

Recommended Motion (and Alternative Motions if expected):

I authorize the City Manager to amend the Measure N Budget and appropriate an additional \$519,638 for the modernization of elevators within both parking structures and Fire Station 52 from the Measure N Building Maintenance Fund.

Environmental Assessment Status: N/A

CEQA Review: N/A

Deadline for Action: 9/2/2025

Attachments: TK Elevator Tariff Change Order #1, TK Elevator Hydraulic Tanks Change Order #2



Subcontract Change Order Request

Date:

PROJECT NUMBER:
CONTRACT DATE:
CHANGE ORDER NUMBER:

PROJECT NAME:
PROJECT ADDRESS:

CONTRACTOR NAME:
CONTRACTOR ADDRESS:

SUBCONTRACTOR NAME: TK Elevator Corporation
SUBCONTRACTOR ADDRESS:

This request for a formal Change Order is made for the above-referenced Contractor and specifically intends to modify and amend the work, price and/or terms set forth in above-referenced Subcontract as follows:

An additional sum of \$ shall be added to the contract price in connection with import charges passed on to TK Elevator by its suppliers as a consequence of new and/or increased government-mandated tariffs.

acknowledges and agrees to issue a formal, signed change order to TK Elevator covering this additional amount prior to the release or procurement of any affected materials.

This escalation applies solely to tariff-related increases.

Total Amount of this Change Order to be added to the contract price: \$

In the event of any conflict between the work, price and/or terms and conditions of the above-referenced Subcontract or prior change orders thereto and this Change Order, this Change Order shall be final. Please sign two (2) copies of this Change Order and return two (2) copies to TK Elevator. A fully executed copy of this Change Order will be returned to you for your files.

Signed Acceptance:

By signing this Change Order where indicated below, the Contractor's signatory hereby acknowledges (a) that the Contractor agrees to all of the terms and conditions contained herein, (b) that the signatory has the authorization necessary to bind the Contractor to agreements of this nature, and (c) that this form is valid and binding notwithstanding any conflicts with procedures and/or forms required by the original Subcontract referenced above which are deemed to have been waived.

This change order/notice scope of work requires the anticipated or current project schedule, and associated time frames, to be adjusted commensurate with the time necessary for the engineering, material procurement and additional labor. TK Elevator will provide a revised project schedule on expedited schedule change order/notice scope of work to the purchaser upon request.

Subcontractor:
TK Elevator Corporation

Contractor:

By:
Title:

Date:

By:
Title:

Date:



Subcontract Change Order Request

Date: 06/09/2025

PROJECT NUMBER: 276183
CONTRACT DATE: 1/6/2025
CHANGE ORDER NUMBER: 1

PROJECT NAME: DOWNTOWN PKG & FIRE STATION 52
PROJECT ADDRESS: 2224 W MONTE VISTA
VISALIA, CA, 93277-7227

CONTRACTOR NAME: City Of Visalia
CONTRACTOR ADDRESS: 336 N Ben Maddox Way
Visalia, CA, 93292

SUBCONTRACTOR NAME: TK ELEVATOR CORPORATION
SUBCONTRACTOR ADDRESS: 940 Riverside Pkwy, Ste 20
West Sacramento, CA, 95605

This request for a formal Change Order is made for the above-referenced Contractor and specifically intends to modify and amend the work, price and/or terms set forth in above-referenced Subcontract as follows:

This change order covers the material and labor to replace the (2) Schindler Tank units, Rupture/Overspeed/Shutoff Valves for 222 Acequia Parking Garage.

City Of Visalia agrees to issue a formal change order to TK Elevator for the described work before any associated material will be ordered and labor will be scheduled.

Total Amount of this Change Order to be added to the contract price: \$90,000.00

In the event of any conflict between the work, price and/or terms and conditions of the above-referenced Subcontract or prior change orders thereto and this Change Order, this Change Order shall be final. Please sign two (2) copies of this Change Order and return two (2) copies to TK Elevator. A fully executed copy of this Change Order will be returned to you for your files.

Signed Acceptance:

By signing this Change Order where indicated below, the Contractor's signatory hereby acknowledges (a) that the Contractor agrees to all of the terms and conditions contained herein, (b) that the signatory has the authorization necessary to bind the Contractor to agreements of this nature, and (c) that this form is valid and binding notwithstanding any conflicts with procedures and/or forms required by the original Subcontract referenced above which are deemed to have been waived.

This change order/notice scope of work requires the anticipated or current project schedule, and associated time frames, to be adjusted commensurate with the time necessary for the engineering, material procurement and additional labor. TK Elevator will provide a revised project schedule on expedited schedule change order/notice scope of work to the purchaser upon request.

Subcontractor:
TK Elevator Corporation

Contractor:
City Of Visalia

By: Edward Werley
Title: MANAGER - PROJECT III, FIELD

Date: 06/09/2025

By: Donny MacLennan
Title: Facilities Superintendent, Building

Date:



Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0379

Agenda Date: 9/2/2025

Agenda #: 2.

Agenda Item Wording:
Public Hearing and Ordinance Adoption -

General Plan Amendment No. 2025-02: A request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use.

First Reading of Ordinance to adopt Change of Zone No. 2025-03: A request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use).

Location: The site is located on the northwest corner of Akers Street and Riggin Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103).

Prepared by:

Brandon Smith, Principal Planner, brandon.smith@visalia.city, (559) 713-4636;

Paul Bernal, Planning and Community Preservation Director, paul.bernal@visalia.city, (559) 713-4025

Department Recommendation:

The Planning Commission recommends that the City Council take the following actions, consistent with the staff recommendation made to Planning Commission on August 11, 2025:

- 1) Adopt Initial Study / Negative Declaration No. 2025-28 (Resolution No. 2025-66 required).
- 2) Approve General Plan Amendment No. 2025-02 (Resolution No. 2025-65 required).
- 3) Conduct the first reading of Ordinance No. 2025-09 to adopt Change of Zone No. 2025-03.

If approved by the City Council, staff will bring back the second reading of the Ordinance at a later City Council meeting.

The entitlements are supported by both the Planning Commission and staff based on the project's consistency with the General Plan and Zoning Ordinance. In addition, the entitlements are consistent with the recommendation of the City Council during the work session item held on August 19, 2024, which was to change 16 acres out of the 21-acre parcel toward Commercial Mixed Use and retain 5 acres on the northwest portion of the parcel for the existing Parks/Recreation designation.

Summary:

General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03 together are a request by the City of Visalia to change the general plan land use and zoning designations of 16 acres from Parks/Recreation land use (QP zone) to Commercial Mixed Use (C-MU zone), as shown in the attached General Plan and Zoning maps, and in the aerial map in Attachment 1. The 16 acres are part of an overall 21-acre undeveloped parcel located on the northwest corner of North Akers Street and West Riggin Avenue.

The reclassification of land use and zoning designations is based upon the recommendation of the City Council upon the conclusion of three work session discussions held on January 16, 2020, June 7, 2021, and August 19, 2024. The site has always held the general plan land use and zoning designation of Parks/Recreation / QP zone since the property's annexation in 2010.

Visalia Unified School District sold the site to the City of Visalia in 2014 and has retained property to the north for development of a middle school and future high school. Visalia's General Plan, adopted in 2014, illustrates this site in a Parks/Facilities Map as a potential location for a new community park serving the northwest quadrant. General Plan Policy PSCU-P-5 more explicitly calls for the creation of a new community park to be built in and to serve the northwest quadrant.

The proposed project only changes the land use and zoning designations associated with the parcel. No development is being proposed or is planned in correlation with the project at this time. The City Council's direction to staff from the work session meeting was to also prepare and release a Request for Proposal (RFP) to solicit potential land developers to submit design proposals for this site, and to hold a future meeting to discuss design stipulations and use limitations on the site. These latter actions will be forthcoming.

Background:

Over the course of the three work sessions held to discuss land uses on the site, City staff suggested that the City-owned property at Akers & Riggin may be better suited for a land use other than Parks/Recreation given its location at a major intersection, with speculation towards a commercial designation. Under the proposed GPA/COZ, a community park could still be developed on the remaining 5-acre portion of the site, or be developed on a different site in the northwest quadrant. Staff presented viable non-residential land use alternatives to the Council at the work sessions. Between the times that the four work sessions were held, the Carleton Acres Specific Plan was drafted and adopted in 2023, solidifying a new commercial land use designation further to the west.

Based upon the work session held on August 19, 2024, the City Council recommended a 4-1 vote (Poochigian, no) in favor of changing the designation to 16 acres out of the 21-acre parcel toward Commercial Mixed Use, and retaining 5 acres on the northwest portion of the parcels for potential park use.

Surrounding Uses:

To the north, on the north side of the Sedona Avenue alignment, a 103-acre parcel owned by Visalia Unified School District (VUSD) contains Ridgeview Middle School and land for a future high school

campus.

To the west of the city-owned site is a 29-acre parcel that is owned by a private entity and is zoned for high-density multi-family residential use. This parcel has been incorporated into the Carleton Acres Specific Plan. On May 29, 2025, a Conditional Use Permit application was filed with the City for a 442-unit development on this site, at a density of 15 units / acre consistent with R-M-3 zone standards; however, the application is incomplete at this time.

The surrounding area beyond the VUSD parcel is currently seeing a steady amount of growth and interest in future development planning. To the east, the 219-unit Ritchie Reserve Apartments are nearing completion, and two small-lot single family residential subdivisions have been proposed to the City, one of which has applied for a tentative subdivision map (i.e. Ritchie Ranch). To the west and northwest, the Carleton Acres Specific Plan was approved in 2023 for the long-term buildout of approximately 3,200 dwelling units and 29 acres of commercial uses anchored by Costco Wholesale at the corner of Shirk & Riggan and a future neighborhood commercial designation at the southwest corner of Akers Street & Avenue 320 (see attachment: Figure 1 and Figure 2).

General Plan Consistency - Community Park Designation:

General Plan Policy PSCU-P-5 calls for the creation of a new community park to be built in and to serve the northwest quadrant. The policy generally states that the park shall be in the northwest, and the facility map shown as Figure 5-1 identifies the 21-acre site as the potential location of the community park (see attachment: Figure 3).

Policy PSCU-P-5 further states that community parks shall be 5 to 12 acres in size or more, and are intended to include resources beyond those found at neighborhood parks, such as a community center building, reserved picnic facilities, tennis courts, aquatic center, and/or outdoor concert area.

A community park would fill a void that currently exists for this type of facility that would be comparable to Recreation Park / Anthony Community Center or Whitendale Park / Community Center. The General Plan notes that the northwest quadrant currently lacks a community center building, and Policy PSCU-P-16 calls to provide at least one community center in each of the City's four neighborhood quadrants.

The community park would be different from Riverway Sports Park, located 2.5 miles to the east. The 83-acre Riverway Sports Park is considered a "large city park" that serves the greater Visalia area and contains several playing fields; however, it contains no community center or multi-use courts. The community park would also be larger in scale than neighborhood parks found throughout the City - the closest being Lions and Soroptimist Parks located one mile southwest or southeast from the site.

The current size of the project site, at 21 acres, is significantly larger than the policy guideline of "5 to 12 acres or more" for community parks. The proposed GPA / COZ would reduce the size of the Parks designation to 5 acres, which would remain within the size range of a community park.

Within the City's northwest quadrant, there are two other undeveloped Park land use designations

that could facilitate a community park. These sites are 15 acres near the northeast corner of Demaree Street & Pratt Avenue and 10 acres fronting the future Riverway Avenue extension north of Modoc Basin. Both sites are visible in Figure 3 above. Both designated sites could facilitate the northwest quadrant's community park based on their acreage. There is a potential opportunity for the City to purchase the Demaree & Pratt land based on early preliminary discussions with a property owner in that area seeking to develop their property that has a park land use designation of equivalent acreage. There have been no discussions regarding the 10 acres of park designated land fronting the future Riverway Avenue extension north of Modoc Basin.

It should be noted that the conceptual use plan for Carleton Acres does plan for parks to be scattered throughout the development, but none being classified as neighborhood or community parks over two acres in size. This is intentional since the General Plan did not designate any land use designations for parks on the Carleton Acres site. The Parks and Recreation Department does not anticipate purchasing any land in the Carleton Acres neighborhood bound by Shirk, Akers, and Avenue 320.

Attachment 2 illustrates non-residential land use designations in the surrounding vicinity.

General Plan Consistency - Land Use Element/General Plan/Zoning:

Land Use Policy LU-P-66 states that the Commercial Mixed Use land use designation allows for either horizontal or vertical mixed use development and a range of commercial, service, office, and residential uses. Commercial uses must be allowed for in a development, while residential uses may or may not be part of a development. The Zoning Ordinance further states, in Section 17.19.010, that the mixed use commercial zone district may permit development at both at key activity nodes and along corridors. There is no further locational criteria regarding Commercial Mixed Use elsewhere in the City.

Among Visalia's commercial designations (i.e. Regional Commercial, Neighborhood Commercial), Commercial Mixed Use zone provides the largest amount of flexibility for a commercial-oriented designation in terms of uses, size, and placement. The northwest area is not significantly underserved with retail uses at this time; however, the nearest existing shopping areas from the intersection are located at Demaree / Riggins (The Village at Willow Creeks) and Akers / Goshen (Key West Shopping Center), both of which are one mile away.

The project site has the potential to be served by multiple single-family and multi-family residential uses and major school facilities that are all adjacent to the site and would be accessed from the adjacent arterial/arterial intersection. Vacant land to the west is slated for the inclusion of an off-street bike/pedestrian trail linking the City site to the rest of the Carleton Acres development.

A larger Commercial Mixed Use designation (10+ acres) can facilitate a shopping center anchored by a supermarket, warehouse supermarket, or home improvement store and supported by additional retail and food establishments. The nearest such development is located at Demaree / Riggins (Lowe's), one mile to the east.

The C-MU designation provides for the widest range of possible non-residential land use alternatives: commercial, retail, restaurant, professional and medical office uses, or residential as a stand-alone or mixed use. A full summary of all allowed land uses (permitted and conditionally permitted) in the C-MU zone is provided in Attachment 3.

Potential Design Considerations and Future Request for Proposal (RFP) Process:

If the City Council approves the proposed GPA / COZ, staff intends to prepare and circulate a

Request for Proposal to solicit potential land developers to submit design proposals for this site that demonstrate the Council's desire to have a superior development design and layout for this site. The RFP process would spell out expectations of the development to embody a well-designed and attractive development with a high likelihood of success that will be compatible with and serve the school population as well as the surrounding community. The RFP would address the developer's responsibility to process the necessary Planning entitlement applications (if applicable) and CEQA environmental analysis for the alternative land use.

Staff's expectation is that a future City Council work session will be held to discuss the potential design requirements and land use limitations or stipulations that would apply to the site to ensure a superior development that aligns with Council's vision. This work session would be necessary to finalize the RFP's scope and content prior to its release. Upon successful completion of the RFP process, staff could then present the submittals to Council for their selection on the best design proposal submittal.

Public Hearing & Review held by Planning Commission:

The Planning Commission conducted a public hearing on August 11, 2025, to consider General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03. The affiliated staff report is provided as Attachment 5.

During the public hearing, one member from the public shared concern that perhaps the request would result in too much reduction of public park acreage. Concerns were also shared that the resulting 5 acres of Parks designation would leave no or too little room for on-site parking, or would result in a reduced size of the park after inclusion of the parking area.

In the discussion among Commissioners, Commissioner Tavarez noted that the reduction of parks/recreation land makes sense as is and would not have a significant impact on facilities in the area, and pointed to the current availability and usage of park facilities on the Neighborhood Church property to the south and Ridgeview Middle School to the north.

Commissioner Norman expressed concerns regarding the overall loss of acreage associated with the parks while having a sufficient supply of commercial land in the northwest quadrant. With the understanding that an RFP would be released later in 2025 for the preparation of a Park Facilities Master Plan, Commissioner Norman further expressed that the action was premature until such master plan would be completed. Commissioner Beattie noted that there was no feedback from the Parks Department on what could be done with 5 acres, or if suitable amenities together with parking could be provided on the 5 acres.

Planning Commissioners made a motion for each individual entitlement, and each item passed on a 3-2 vote, with Commissioners Beattie and Norman voting no on both requests.

Fiscal Impact: The General Plan Amendment and Change of Zone actions will have no impact to the city. Regarding the sale of the site, since the City purchased the site using Park Impact Fees, any portion of land that will be sold for non-park use will require payment back to the Park Impact fee program.

Prior Council Action:

- On January 16, 2020, at a Joint City Council-Planning Commission meeting, in the context of land use planning around VUSD's future high school site, the Council directed staff to proceed with a recommended motion to research and present back for Council consideration of potential

land use and zoning designations to the 21-acre parcel.

- On June 7, 2021, the City Council met to discuss and seek direction on potential changes to the zoning and General plan designation on the subject site. Council favored the Commercial Mixed Use zone as a preferred land use / zone district alternative, but tabled taking any action on the item so that staff could prepare a list of allowed uses in the Commercial Mixed Use (C-MU) zone and to consider park opportunities in the Carleton Acres Specific Plan area, which would be later adopted in 2023.
- On August 19, 2024, the City Council confirmed the type and amount of the alternative land use and zoning for the subject site, and further directed staff to prepare and release a RFP for the solicitation of design proposals for the site. Council further directed staff to return to discuss the specific design, land uses, and limitations on the property.

Alternatives:

The City Council may, in lieu of the recommended motion specified above, consider any of the following alternatives:

1. After opening and closing the public hearing, if the Council seeks additional information, continue the agenda item to a City Council meeting on a specified date.
2. Approve the item with a different amount of Commercial Mixed Use land use and zoning designation acreage, as directed by Council.
3. If Council is considering a different amount of Commercial Mixed Use land use and zoning designation acreage, refer the item with revisions back to the Planning Commission.
4. Deny the entitlements.

Recommended Motion (and Alternative Motions if expected):

I move to approve Resolution No. 2025-65, to approve General Plan Amendment No. 2025-02; and,

I move to conduct the First reading of the approval of Ordinance No. 2025-09 to adopt Change of Zone No. 2025-03.

Environmental Assessment Status & CEQA Review:

An Initial Study and Negative Declaration were prepared for the proposed project. This environmental review was prepared for the proposed General Plan Amendment and Change of Zone only and does not consider any environmental impacts regarding any future development, as such development would also be subject to separate environmental review under the California Environmental Quality Act (CEQA) once details of the development are known.

Initial Study and Negative Declaration No. 2025-28 (see Attachment 6), prepared in accordance with CEQA Guidelines, disclosed that environmental impacts are determined to be not significant. Staff concludes that Initial Study and Negative Declaration No. 2025-28 adequately analyzes and addresses the proposed project and concludes that environmental impacts related to this project will be at a level that is less than significant.

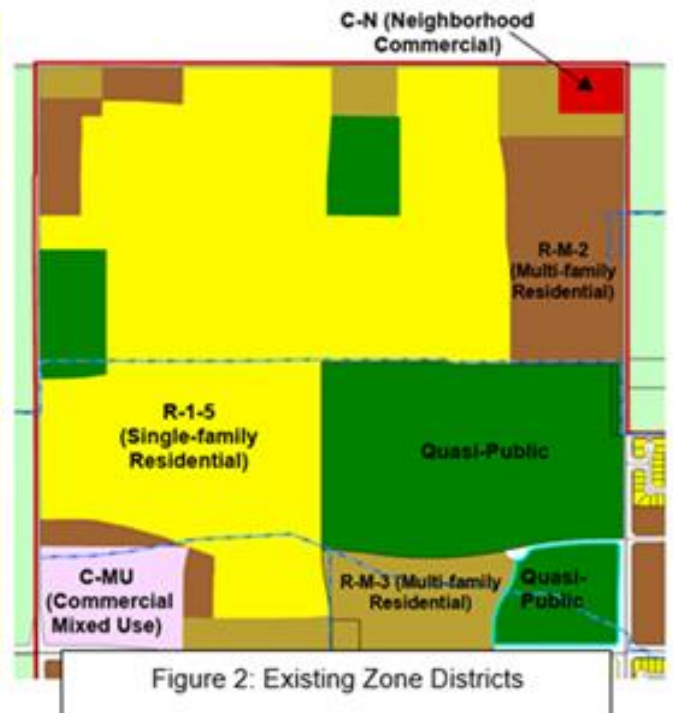
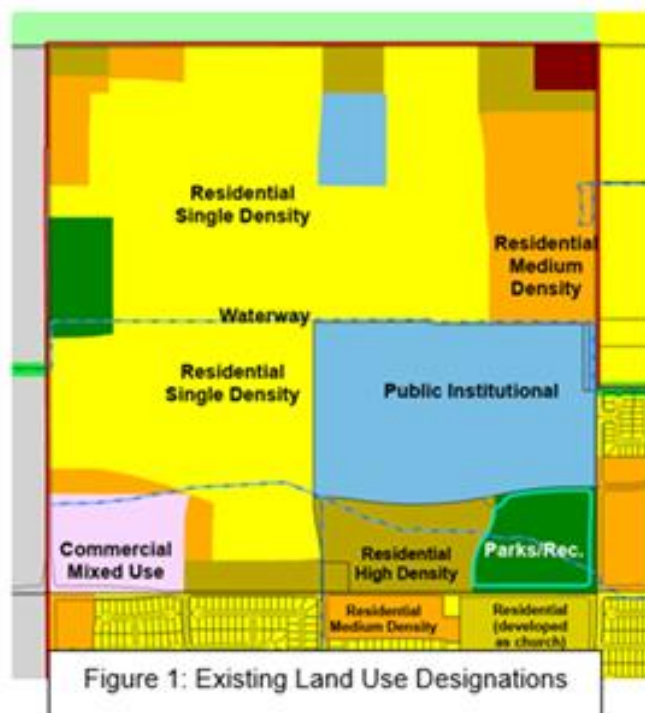
During the public comment period for the Negative Declaration, one comment letter was received by the State Department of Toxic Substances Control (see Attachment 4). The letter recommends that in instances where land is proposed to be rezoned to residential use, that the lead agency shall identify certain pesticide materials as described in the letter, which would determine if any remedial

action is needed to bring levels below thresholds. Since no activity is proposed on the site and since no residential uses are being considered, no mitigation is necessary in response to the letter.

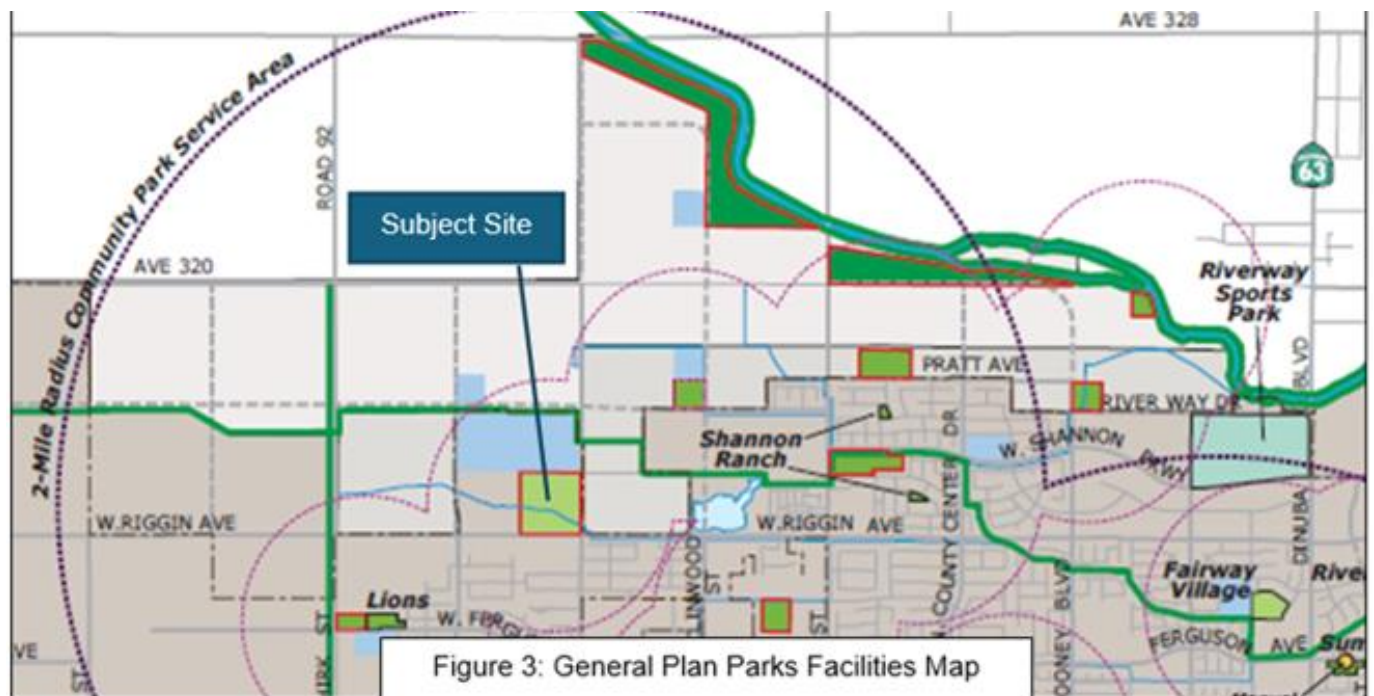
Attachments:

1. Staff Report References - Figure 1, 2, 3
2. Resolution No. 2025-66 - Adopting Initial Study / Negative Declaration No. 2025-28
3. Resolution No. 2025-65 - Adopting General Plan Amendment No. 2025-02
4. Ordinance No. 2025-09 - Adopting Change of Zone No. 2025-03
5. Attachment 1 - Aerial Photo of Subject Site
6. Attachment 2 - Non-Residential Land Use Map
7. Attachment 3 - Uses Allowed in the C-MU Zone
8. Attachment 4 - Correspondence from State Department of Toxic Substances Control
9. Attachment 5 - Planning Commission Staff Report from August 11, 2025
10. Attachment 6 - Initial Study / Negative Declaration No. 2025-28
11. General Plan, Land Use, Zoning, and Location Maps

Surrounding Uses: Figure 1 and Figure 2



General Plan Consistency - Community Park Designation: Figure 3



RESOLUTION NO. 2025-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA,
ADOPTING NEGATIVE DECLARATION NO. 2025-28, WHICH EVALUATES
ENVIRONMENTAL IMPACTS FOR GENERAL PLAN AMENDMENT NO.
2025-02 AND CHANGE OF ZONE NO. 2025-03

WHEREAS, the project consisting of General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03 (hereinafter “Project”) is a request to amend the General Plan land use designation and Zoning designation on one parcel totaling 21 acres and amend the Zoning designation on one parcel totaling 10 acres, resulting in the removal of 16 acres of Parks/Recreation land use designation and Quasi-Public zoning, and the addition of 16 acres of Commercial Mixed Use designation / zoning. The Project is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103); and,

WHEREAS, the City Council of the City of Visalia, following a period of ten (10) days after published notice, held a public hearing before said Council on September 2, 2025; and,

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from the Project; and,

WHEREAS, on the basis of this Initial Study, a Negative Declaration has been prepared for the Project pursuant to the California Environmental Quality Act of 1970 (CEQA), as amended; and,

WHEREAS, the Initial Study and Negative Declaration for the Project were prepared and noticed for review and comment for 20 days beginning on July 17, 2025, and ending on August 6, 2025; and,

WHEREAS, the City of Visalia received one comment on the Initial Study and Negative Declaration, and determined that the comment letter did not warrant any changes to the Negative Declaration; and,

WHEREAS, the City Council of the City of Visalia considered the Initial Study and Negative Declaration and found that the Initial Study and Negative Declaration contain and reflect the independent judgment of the City of Visalia.

NOW, THEREFORE, BE IT RESOLVED that Initial Study and Negative Declaration No. 2025-28 was prepared consistently with the California Environmental Quality Act and the City of Visalia Environmental Guidelines.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia hereby finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and hereby adopts Initial Study and Negative Declaration No. 2025-28. The documents and other material which constitute the record of the proceedings upon which the decisions based are located at the office of the City Planner, 315 East Acequia Avenue, Visalia, California, 93291.

PASSED AND ADOPTED: September 2, 2025

LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2025-66 passed and adopted by the Council of the City of Visalia at a regular meeting held on September 2, 2025.

Dated: September 2, 2025

LESLIE B. CAVIGLIA, CITY CLERK

By Reyna Rivera, Chief Deputy City Clerk

RESOLUTION NO. 2025-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA, APPROVING GENERAL PLAN AMENDMENT NO. 2025-02: A REQUEST BY THE CITY OF VISALIA TO CHANGE THE LAND USE DESIGNATION ON A 16-ACRE PORTION OF A 21-ACRE PARCEL FROM PARKS/RECREATION TO COMMERCIAL MIXED USE. THE SITE IS LOCATED ON THE NORTHWEST CORNER OF AKERS STREET AND RIGGIN AVENUE, WITHIN THE CITY OF VISALIA, COUNTY OF TULARE (APN: 077-100-103).

WHEREAS, General Plan Amendment No. 2025-02 is a request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use. The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on August 11, 2025; and,

WHEREAS, the Planning Commission of the City of Visalia considered the General Plan Amendment in accordance with Section 17.54.060 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing, and recommended approval of said General Plan Amendment; and,

WHEREAS, the Planning Commission of the City of Visalia adopted Resolution No. 2025-42 recommending approval of General Plan Amendment No. 2025-02; and,

WHEREAS, the City Council of the City of Visalia, following a period of ten (10) days after published notice, held a public hearing for General Plan Amendment No. 2025-02 on September 2, 2025.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Visalia approves General Plan Amendment No. 2025-02, based on the following specific findings and evidence presented:

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment from 21 acres of Parks/Recreation to 16 acres of Commercial Mixed Use and 5 acres of Parks/Recreation is compatible with adjacent land uses and will not impose new land uses that would adversely affect the subject site or adjacent properties.
3. That the proposed Commercial Mixed Use land use designation under the proposed General Plan Amendment results in the placement of a land use designation that provides an efficient transition from the arterial/arterial roadway intersection to residential, parks/recreation, and public institutional uses surrounding the site.

4. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2025-28 be adopted for this project.

BE IT FURTHER RESOLVED that the City Council of the City of Visalia approves General Plan Amendment No. 2025-02, as shown on Attachment “A” of this Resolution, on the real property described herein, in accordance with the terms of this resolution and under the provisions of Section 17.54.080 of the Ordinance Code of the City of Visalia.

PASSED AND ADOPTED: September 2, 2025

LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)

COUNTY OF TULARE) ss.

CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2025-65 passed and adopted by the Council of the City of Visalia at a regular meeting held on September 2, 2025.

Dated: September 2, 2025

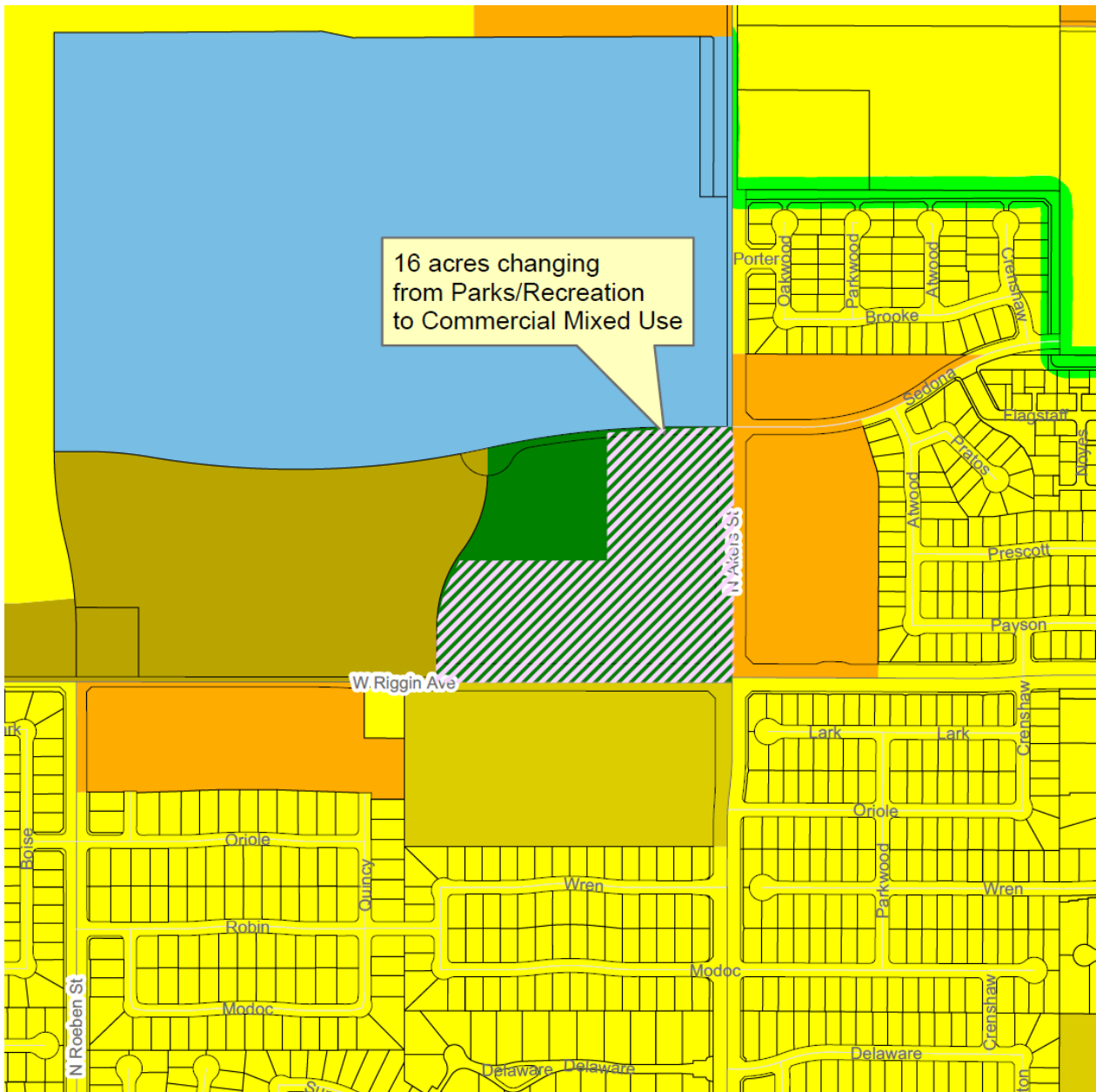
LESLIE B. CAVIGLIA, CITY CLERK

By Reyna Rivera, Chief Deputy City Clerk

ATTACHMENT "A"

GENERAL PLAN AMENDMENT NO. 2025-02

Visalia City Council
Resolution No. 2025-65



ORDINANCE NO. 2025-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VISALIA APPROVING CHANGE OF ZONE NO. 2025-03: A REQUEST BY THE CITY OF VISALIA TO CHANGE THE ZONING DESIGNATION ON A 16-ACRE PORTION OF A 21-ACRE PARCEL FROM QP (QUASI-PUBLIC) TO C-MU (COMMERCIAL MIXED USE). THE SITE IS LOCATED ON THE NORTHWEST CORNER OF AKERS STREET AND RIGGIN AVENUE, WITHIN THE CITY OF VISALIA, COUNTY OF TULARE (APN: 077-100-103).

WHEREAS, Change of Zone No. 2025-03 is a request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use). The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on August 11, 2025; and,

WHEREAS, the Planning Commission of the City of Visalia considered the Change of Zone in accordance with Section 17.44.070 of the Zoning Ordinance of the City of Visalia based on evidence contained in the staff report and testimony presented at the public hearing, and recommended approval of said Change of Zone; and,

WHEREAS, the Planning Commission of the City of Visalia adopted Resolution No. 2025-43 recommending approval of Change of Zone No. 2025-03; and,

WHEREAS, the City Council of the City of Visalia, following a period of ten (10) days after published notice, held a public hearing for Change of Zone No. 2025-03 on September 2, 2025.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Visalia approves Change of Zone No. 2025-03, based on the following specific findings and evidence presented:

1. That the Change of Zone is consistent with the intent of the General Plan and the Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Commercial Mixed Use (C-MU) zoning is consistent with the Commercial Mixed Use land use designation and compatible with adjacent land uses.
3. That the proposed Commercial Mixed Use zoning designation under the proposed Change of Zone results in the placement of a zoning designation that provides an efficient transition from the arterial/arterial roadway intersection to residential, parks/recreation, and public institutional uses surrounding the site.

4. That an Initial Study was prepared for the project including the Change of Zone, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2025-28 be adopted for this project.

BE IT FURTHER RESOLVED, that the City Council of the City of Visalia approves Change of Zone No. 2025-03, as shown on Attachment "A" of this Ordinance, on the real property described herein, in accordance with the terms of this ordinance and under the provisions of Section 17.44.090 of the Ordinance Code of the City of Visalia.

PASSED AND ADOPTED:

BRETT TAYLOR, MAYOR

ATTEST:

LESLIE CAVIGLIA, CITY CLERK

APPROVED BY CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Ordinance 2025-09 passed and adopted by the Council of the City of Visalia at a regular meeting held on September __, 2025 and certify a summary of this ordinance will be published in the Visalia Times Delta.

Dated:

LESLIE CAVIGLIA, CITY CLERK

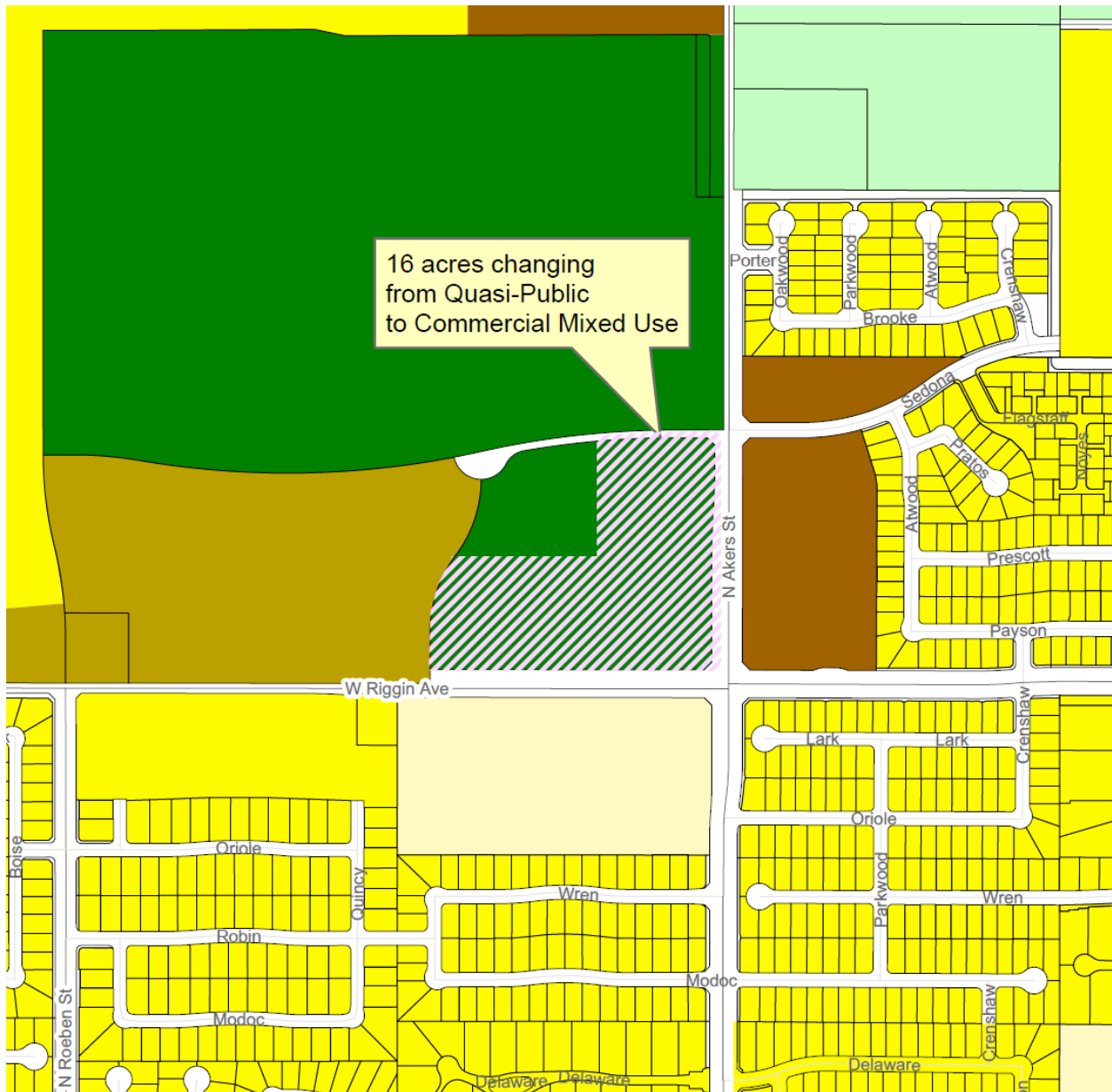
By Reyna Rivera, Chief Deputy City Clerk

ATTACHMENT "A"

AN ORDINANCE OF THE CITY COUNCIL
AMENDING THE ZONING MAP AS FOLLOWS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VISALIA:

Section 1: The Zoning Map is hereby amended as follows:

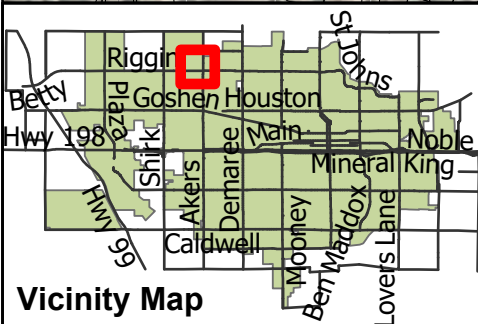
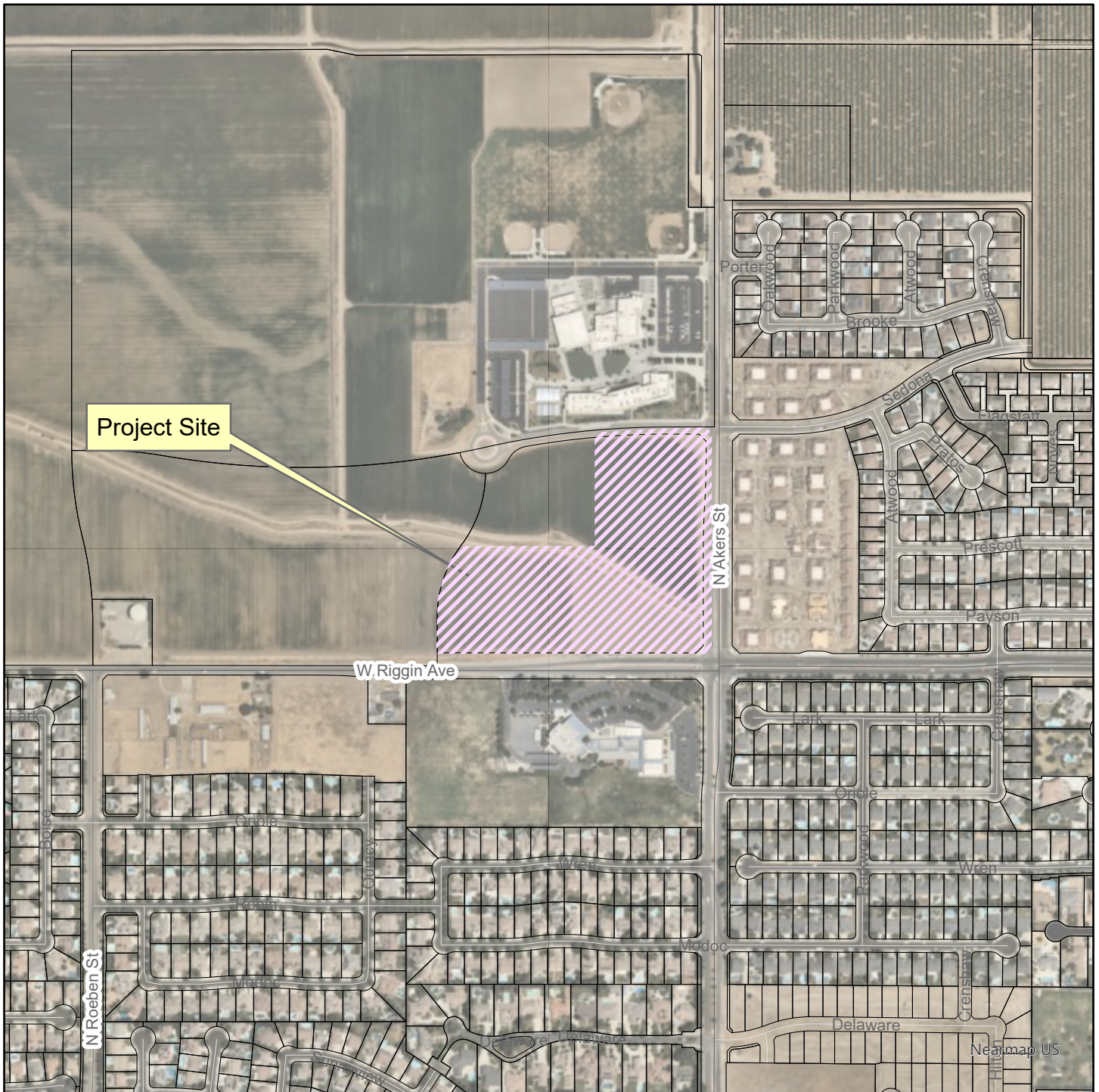


Section 2: This property and Zoning Map of the City of Visalia is hereby amended to show said property changes.

Section 3: This Ordinance shall take effect thirty days after passage hereof.

General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

The property is located at the northwest corner of N Akers St and W Riggan Ave,
within the city limits of Visalia, Tulare County. (APN: 077-100-103).

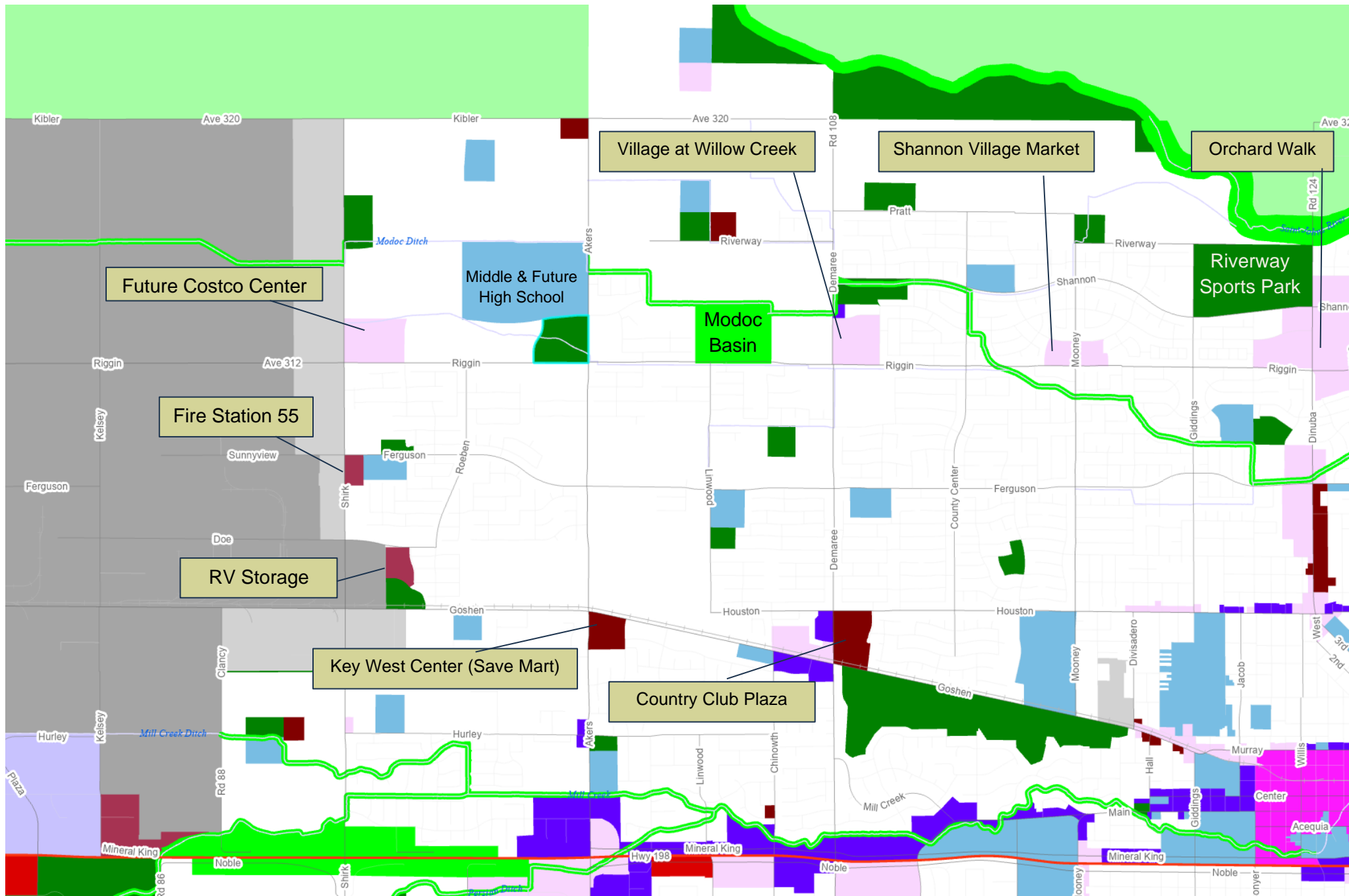


Aerial Photo

0 500 1,000 Feet



- Commercial Mixed Use
- Collector
- Local
- Minor Arterial
- Other



Attachment 6: Vicinity Map of Non-Residential General Plan Land Uses
 Blue indicates school & public use sites; Green indicates park sites.

Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

	USE	C-MU	Special Use Standards (See identified Chapter or Section)
	AGRICULTURAL - FARMING		17.08
A5	Roadside Stands Selling Produce Grown on Site	T	
A6	Animal Day Care Facility	P	
	AUTOMOTIVE (for gas stations see SERVICE STATIONS)		
A8	Auto Leasing/Renting	C	
A11	Auto Oil, Lube & Smog Test Shops	P	
A12	Auto Repairs, Major-Overhauling, Rebuilding, Painting	C	
A13	Automotive Supplies, Parts & Accessories	P	
A16	Car Washing - self service	C	
A17	Car Washing - automated - Meeting All Standards in Section 17.32.168	P	17.32.168
A18	Car Washing - automated - Not Meeting All Standards in Section 17.32.168	C	17.32.168
A20	Car Sales – New & Used, one (1) to four (4) vehicles on display	P	
A24	Tire Sales & Service (excluding major repairs) – stand alone	P	
A25	Tire Sales & Service (excluding major repairs) – located within the primary permitted use on the site	P	
	BANKS & FINANCIAL INSTITUTIONS		
B1	Stand-Alone Automatic Teller (ATM)	P	
B2	Office	P	
	BUS DEPOTS		
B8	Public & Private Transfer Point	C	
C1	Catering Services	P	
C3	Christmas Tree Sales Lots/Other Seasonal Commercial Uses/Special Events	T	
	CHURCHES & OTHER RELIGIOUS INSTITUTIONS		
C4	Up to 200 Seats	C	
	COMMUNICATIONS		
C6	Communications Equipment Building	P	
C7	Media Studio	P	
C8	Radio and TV Broadcasting Studios – with antenna off-site	P	
C9	Radio and TV Broadcasting Studios – with antenna on-site	C	
C10	Wireless telecommunication facilities – more than 100 feet away from property planned/zoned residential	C	17.32.163
C11	Wireless telecommunication facilities – within 100-ft of property planned/zoned residential	C	17.32.163
	DAYCARE, LICENSED		
D1	Adult – 12 or fewer adults	P	
D2	Adult – 13 or more adults	C	
D3	Children– 14 or fewer	P	
D4	Children – 15 or more	C	
D5	In Conjunction with Primary Use	P	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit

T = Use Requires Temporary Use Permit

Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

	DRIVE-THRU LANES		
D6	Drive-Thru Lanes Meeting All Standards in Sect. 17.32.162	P	17.32.162
D7	Drive-Thru Lanes Not Meeting All Standards in Sect. 17.32.162	C	17.32.162
	EATING & DRINKING ESTABLISHMENTS		
E1	Bars/Taverns– within 300 feet of any residence/public use	C	
E2	Bars/Taverns – not within 300 feet of any residence/ public use	C	
E3	Micro-breweries/micro-wineries (with or without restaurants)	C	17.63
E4	Craft distilleries	C	
E5	Cafeterias	P	
E6	Quick Service/Fast Food Restaurants	P	
E8	Live Entertainment	C	17.04
E9	Sit-Down Restaurant/Café	P	
E10	EVENT CENTERS	C	
F1	Florist	P	
F2	Fortunetelling/Palm Reader	P	5.2
	FUEL STORAGE		
F3	Propane/Butane	P	
F5	Propane/Butane within 50 feet of Planned/zoned Residential	C	
F7	Above Ground Tanks dispensing Class I, II, and III-A liquids– within 100 feet of a residential use or residential zoned property	C	17.32.025
F8	Above Ground Tanks dispensing Class I, II, and III-A liquids– more than 100 feet from a residential use or residential zoned property	P	17.32.025
F12	Funeral Home/Mortuary	C	
G1	Galleries– Art/Photography/Crafts	P	
H1	Home Occupation Businesses	P	17.32.030
	HOTELS AND MOTELS		
H2	Hotels and Motels, located 250 feet or more from an existing residence	P	
H3	Hotels and Motels, located less than 250 feet from an existing residence	C	
K1	Kennels (located 500 feet or more from a residential zone)	C	
	LAUNDRY/DRY CLEANERS		
L1	Dry Cleaners (cleaning plant)	P	
L2	Dry Cleaners (cleaning plant including carpet/rug cleaning and dyeing)	P	
L3	Diaper Supply Service	P	
L4	Linen & Uniform Supply Service	P	
L5	Self service	P	
	MANUFACTURING/ASSEMBLING		
	Food & Beverage – Preparation & Bottling/Packaging & Distribution		
M16	– commercial bakeries	C	
M17	– commercial kitchens	C	
M36	Hobby/Craft Manufacturing	P	
	Products Manufactured/Assembled from Previously Prepared Materials		
M41	– clothing assembly/imprinting	P	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
T = Use Requires Temporary Use Permit

Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

M56	Massage Therapist	C	(emergency ordinance)
	MEDICAL FACILITIES/SERVICES (for medical/dental offices see OFFICES)		
M58	Ambulance Services/Medical Transport	C	
M59	Convalescent Hospitals/Senior Care Facilities/Nursing Homes	C	
M60	Clinics	P	
M61	Dialysis Centers and Blood Donation Centers	P	
M62	Laboratories (medical testing & diagnostic)	P	
M63	Medical Equipment/supplies (oxygen, prosthetics, walkers, etc.)	P	
M65	Rehabilitation Hospitals	C	
	OFFICES		
	General Business and Professional (i.e., data processing services, employment agencies, insurance agencies, etc.)		
O1	– less than 2,000 sq. ft.	P	
O2	– 2,000 sq. ft. to 6,000 sq. ft.	P	
O3	– more than 6,000 sq. ft.	P	
O6	Medical	P	
O7	Professional office with social services	P	
P1	Parcel Delivery Services/Parcel Distribution (UPS, Federal Express, etc.)	P	
P2	Parking Facilities For Off-Site Uses	P	17.34.060
	PERSONAL SERVICES		
P4	Stand Alone	P	
P5	Located within the Primary Permitted Use on the Site	P	
P6	Tattooist	P	
	PHOTOCOPY SERVICES/DESKTOP PUBLISHING		
P7	With Printing Press	C	
P8	Without Printing Press	P	
	PHOTOGRAPHY/PHOTO SERVICES		
P9	Photography Studio	P	
P10	Photography Labs/Blue Printing/Microfilming (developing, printing – no retail on site)	P	
P11	Photography labs (developing, printing – no retail on site)	P	
P12	Photography Labs with Retail on Site	P	
P13	Planned Unit Developments	C	17.26
P14	Private Clubs and Lodges	C	17.32.115
	PUBLIC COMMUNITY SERVICES		
P16	Community & Recreation Centers	C	
P17	Community Gardens	C	
P18	Fire Stations	P	
P19	Police Stations & Substations	P	
P20	Post Offices	P	
P21	Public Buildings, Offices & Grounds	C	
P22	Public Libraries	C	
P23	Public Parks/Playgrounds	C	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit

T = Use Requires Temporary Use Permit

Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

P24	Post Office Substations	P	
	RECREATION FACILITIES		
R3	Athletic and Health Clubs (gymnasiums, fitness centers, racquet clubs)	P	
R4	Athletic and Health Clubs (gymnasiums, fitness centers, racquet clubs) less than 5,000 sq. ft.	P	
R5	Aquatic Centers	C	
R6	Athletic/Playing Fields	C	
R7	Bowling Alleys	P	
R8	Circus, Carnivals, Fairs & Festivals, Revivals/Assemblies	T	
R9	Dance, Yoga & Music Studios	P	
R10	Escape Rooms	P	
R11	Martial Arts	P	
R12	Golf Courses & Driving Ranges	C	
R13	Miniature Golf Courses	C	
R14	Ice & Roller Skating Rinks	P	
R15	Indoor Playgrounds and Trampoline Parks	P	
R16	Indoor Amusement Facilities	C	
R17	Pool Halls/Billiard Parlors	P	
R18	Video Machines/Coin-Operated Games – 1 to 4 machines	P	17.32.120
R19	Video Arcade	P	17.32.120
R20	Other Recreational Facilities	C	
R21	Rifle and Pistol Range, indoor	C	
	RECYCLING FACILITIES		
R25	Small Collection	C	17.32.160
R26	Reverse Vending Machines	P	17.32.160
	RESIDENTIAL (see also Residential Zones)		
R28	Residential Units, New or Expansions, which may or may not be associated with a commercial activity	C	
R30	Existing single-family dwelling	P	
R36	Residential Unit Reoccupation	P	
R37	Low Barrier Navigation Centers	P*/C	17.32.135
R38	Transitional Housing and Supportive Housing as those terms are defined in Section 17.04.030	P*/C	
R39	Senior Citizen Residential Developments	C	
R40	Accessory Dwelling Units	C	17.12 Article 2
R41	Employee Housing	C	
	RETAIL		
	General Merchandise		
R42	– less than 4,000 sq. ft.	P	
R43	– 4,000 to 6,000 sq. ft.	P	
R44	– 6,001 to 40,000 sq. ft.	P	
R45	– 40,001 to 60,000 sq. ft.	P	17.32.050
R46	– over 60,000 sq. ft.	C	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
T = Use Requires Temporary Use Permit

Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

R48	Garden Centers/Nurseries – located within primary use	P	
R49	Garden Centers/Nurseries – stand alone	C	
R50	Glass Stores (windows, etc. for auto, residential, commercial)	P	
R51	Home Improvement	P	
	Drugstore/Pharmacy		
R52	– including general retail merchandise	P	17.32.050 17.32.055
R53	– not including general retail merchandise, 1,500 sq. ft. or more	P	
R54	– not including general retail merchandise, up to 1,500 sq. ft.	P	
R56	Feed Stores	C	
	Food Stores		
R57	– convenience store	P	
R58	– liquor store within 300 feet of residential/public use	C	
R59	– liquor store not within 300 feet of residential/public use	C	
R60	– specialty food stores (bakery, delicatessen, butcher shop, meat market, health food, gourmet/imported food, etc.)	P	17.32.050
R61	– supermarkets/grocery stores	P	17.32.050
R62	– wine tasting with sales	C	
R63	Furniture & Furnishings – new	P	
R64	Furniture & Furnishings– secondhand *up to 10,000 square feet	P	
R65	Gun Shops – within primary use	P	
R66	Gun Shops – stand alone	P	
	Magazine/Newspaper Sales (Freestanding Booth/Stand/Kiosk)		
R67	– indoor	P	
R68	– outdoor	C	
R69	Pawnshops	C	
R70	Pet Stores	P	17.32.050
R71	Pool/Spa Supplies/Equipment	P	17.32.050
R72	Smoke Shops (retail of cigarettes and smoke devices/paraphernalia)	C	17.32.165
	SCHOOLS, PUBLIC AND PRIVATE (see also Quasi-Public and Residential Zones)		
S1	Preschool/After-School Care	C	
S2	Elementary Schools, K-6 or K-8	C	
S3	Middle Schools	C	
S4	High Schools	C	
S5	Colleges/Universities (academic)	C	
S6	Vocational or other Specialized Schools - Non-industrial trades	C	
S7	Vocational or other Specialized Schools - Industrial trades	C	
S8	After Hours Academic Education Facilities (After 6:00 p.m.)	C	
S9	Tutoring Centers	P	
	SERVICE, COMMERCIAL		
S11	Appliance, Electrical Equipment, Tools (disassemble & repair)	P	
S12	Check-Cashing Service	P	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit
T = Use Requires Temporary Use Permit

Exhibit "A": Uses Allowed in the C-MU Zone
Updated Through July 2025

S15	Courier Services	P	
S17	Bail Bonds	P	
S18	Equipment Rental – conducted outdoors	C	
S19	Equipment Rental – conducted indoors	P	
S21	Gunsmith Shops, including incidental retail	P	
S25	Locksmiths	P	
S27	Pet Grooming/Dog Training (conducted indoors)	P	
S30	Sharpening Service – small tools not including saw blades and lawn mowers	P	
S31	Sheltered Workshops	C	
S32	Shoe Repair Shops	P	
S35	Tailor, Dressmaking, & Alterations	P	
S36	Upholstering Shops (furniture only)	P	
SERVICE STATIONS			
S38	Fuel dispensing only – not including major auto repair services of any kind	C	
S39	Also including major auto repair services	C	
T1	Taxi/Limousine Service	P	
THEATERS			
T3	Drive-in	C	
T4	Movie	C	
T5	Live Performance	C	
UTILITIES			
U3	Business Offices	P	
U4	Electric Distribution Substations	C	
U5	Elevated Pressure Tanks	P	
U6	Gas Regulator Stations	C	
U7	Public Service Pumping Stations	C	
U8	Payment Centers	P	
U9	Public Utility Service Yards	C	
VETERINARY SERVICES			
V1	Animal Hospitals (no boarding)	P	
V2	Animal Hospitals (including short term boarding of animals)	C	
WAREHOUSING STORAGE			
W3	– not to exceed 20% of gross floor area of permitted use	P	
W4	– in excess of 20% of gross floor area of permitted use	C	
W5	Mini Storage Facilities	C	
OTHER			
OT1	Other Uses Similar in Nature and Intensity as Determined by the City Planner	P	
OT2	Other Uses Similar in Nature and Intensity as Determined by the City Planner Subject to the Granting of a Conditional Use Permit	C	

P = Use is Permitted by Right C = Use Requires Conditional Use Permit

T = Use Requires Temporary Use Permit



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

July 18, 2025

Brandon Smith
Principal Planner
City of Visalia
315 East Acequia Avenue
Visalia, CA 93291
brandon.smith@visalia.city

RE: NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT NO. 2025-02
AND CHANGE OF ZONE NO. 2025-03 DATED JULY 17, 2025, STATE
CLEARINGHOUSE # [2025070724](#)

Dear Brandon Smith,

The Department of Toxic Substances Control (DTSC) reviewed the Negative Declaration (ND) for General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03 (Project). The proposed Project will establish a new General Plan land use designation and zoning designation of Commercial Mixed Use on approximately 16 acres, on portions of the property facing the frontages of Akers Street and Riggan Avenue. The Project site occupies 20.88 gross acres of undeveloped land, which is seasonally improved for agricultural uses (i.e., row crops). Currently, the Project only affects the land use and zoning designations. No development is proposed in correlation with the Project.

DTSC recommends and requests consideration of the following comment:

When agricultural crops and/or land uses are proposed or rezoned for residential use, several contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-

Brandon Smith

July 18, 2025

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trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet approved local area baselines or thresholds. If they do not, remedial action must take place to mitigate them below those thresholds. Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required. Please refer to the [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#) for the most recent guidance and screening levels.

DTSC would like to thank you for the opportunity to comment on the ND for General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03 Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our [CEQA Review email](#) for additional guidance.

Sincerely,

A handwritten signature in black ink that reads "Dave Kereazis". The script is cursive and fluid, with the first letters of "Dave" and "Kereazis" being capitalized and prominent.

Dave Kereazis

Associate Environmental Planner

HWMP-Permitting Division – CEQA Unit

Department of Toxic Substances Control

Dave.Kereazis@dtsc.ca.gov

Brandon Smith

July 18, 2025

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cc: (via email)

Governor's Office of Land Use and Climate Innovation

State Clearinghouse

state.clearinghouse@lci.ca.gov

Tamara Purvis

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REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: August 11, 2025

PROJECT PLANNER: Brandon Smith, Principal Planner
Phone: (559) 713-4636
Email: brandon.smith@visalia.city

SUBJECT: General Plan Amendment No. 2025-02: A request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use.

Change of Zone No. 2025-03: A request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use).

Location: The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103).

STAFF RECOMMENDATION

General Plan Amendment No. 2025-02: Staff recommends that the Planning Commission recommend that the Visalia City Council approve General Plan Amendment No. 2025-02, based on the findings in Resolution No. 2025-42. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Change of Zone No. 2025-03: Staff recommends that the Planning Commission recommend that the Visalia City Council approve Change of Zone No. 2025-03, based on the findings in Resolution No. 2025-43. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to recommend approval of General Plan Amendment No. 2025-02, based on the findings in Resolution No. 2025-42.

I move to recommend approval of Change of Zone No. 2025-03, based on the findings in Resolution No. 2025-43.

PROJECT DESCRIPTION

General Plan Amendment No. 2025-02 and **Change of Zone No. 2025-03** together are a request by the City of Visalia to change the general plan land use and zoning designations of 16 acres from Parks/Recreation land use (QP zone) to Commercial Mixed Use (C-MU zone), as shown in the attachment to each entitlement's respective resolution. The 16 acres are part of an overall 21-acre undeveloped parcel located on the northwest corner of North Akers Street and West Riggins Avenue (see attached aerial map).

The reclassification of land use and zoning designations is based upon the recommendation of the City Council upon the conclusion of four work session discussions held between January 16, 2020 and August 19, 2024. The site has always held the general plan land use and zoning designation of Parks/Recreation / QP zone since the property's annexation in 2010.

Visalia Unified School District sold the site to the City of Visalia in 2014 and has retained property to the north for development of a middle school and future high school. Visalia’s General Plan, adopted in 2014, illustrates this site in a Parks/Facilities Map as a potential location for a new community park serving the northwest quadrant. General Plan Policy PSCU-P-5 more explicitly calls for the creation of a new community park to be built in and to serve the northwest quadrant.

Over the course of the four work sessions held to discuss land uses on the site, City staff suggested that the City-owned property at Akers & Riggan may be better suited for a land use other than Parks/Recreation given its location at a major intersection, with speculation towards a commercial designation. Under the proposed GPA/COZ, a community park could still be developed on the remaining 5-acre portion of the site, or be developed on a different site in the northwest quadrant. Staff presented viable non-residential land use alternatives to the Council at the work sessions. Between the times that the four work sessions were held, the Carleton Acres Specific Plan was drafted and adopted in 2023, solidifying a new commercial land use designation further to the west.

Based upon the August 19, 2024 work session, the City Council recommended a 4-1 vote in favor of changing the designation to 16 acres out of the 21-acre parcel toward Commercial Mixed Use, and retaining 5 acres on the northwest portion of the parcels for potential park use.

The proposed project only changes the land use and zoning designations associated with the parcel. No development is being proposed or is planned in correlation with the project at this time. The City Council’s direction to staff from the work session meeting was to also prepare and release a Request for Proposals (RFP) to solicit potential land developers to submit design proposals for this site, and to hold a future meeting to discuss design stipulations and use limitations on the site. These latter actions will be forthcoming .

BACKGROUND INFORMATION	
General Plan Land Use Designation	Parks / Recreation
Zoning	QP (Quasi Public)
Surrounding Zoning and Land Use	North: QP / Ridgeview Middle School South: R-1-20 (Single-Family Residential, 20,000 sq. ft. minimum site area) / Neighborhood Church East: R-M-2 (Multi-family Residential, one unit per 3,000 sq. ft. site area) / Apartment-style residences (Reserve at Ritchie Ranch) West: R-M-3 (Multi-family Residential, one unit per 1,200 sq. ft. site area) / Vacant land with pending multi-family development application
Environmental Review:	Initial Study / Negative Declaration No. 2025-28
Site Plan:	N/A

RELATED PLANS & POLICIES

See attachment pertaining to General Plan policies and Municipal Code sections pertaining to the project site.

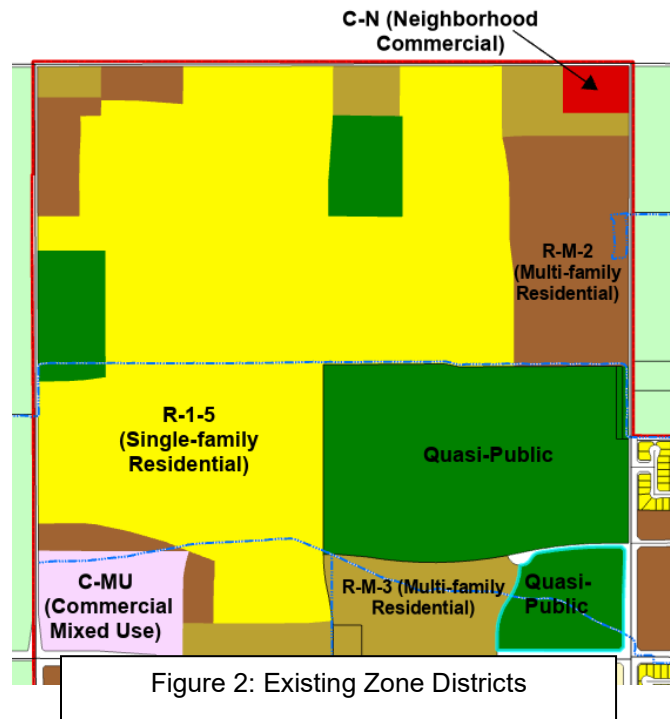
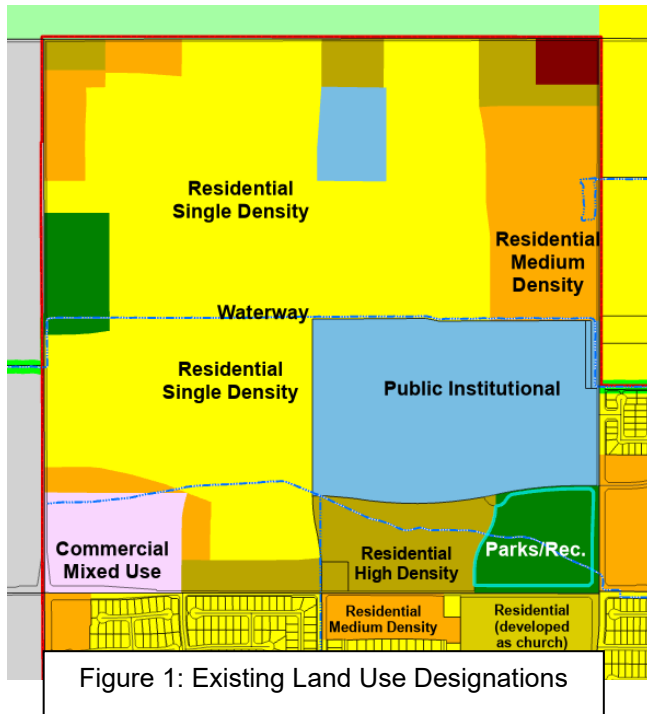
RELATED PROJECTS

There are no other projects that are related to this project site.

PROJECT EVALUATION

Staff supports the requested General Plan Amendment and Change of Zone based on project consistency with the General Plan and Zoning Ordinance.

Surrounding Uses



To the north, on the north side of the Sedona Avenue alignment, a 103-acre parcel owned by Visalia Unified School District (VUSD) contains Ridgeview Middle School and land for a future high school campus.

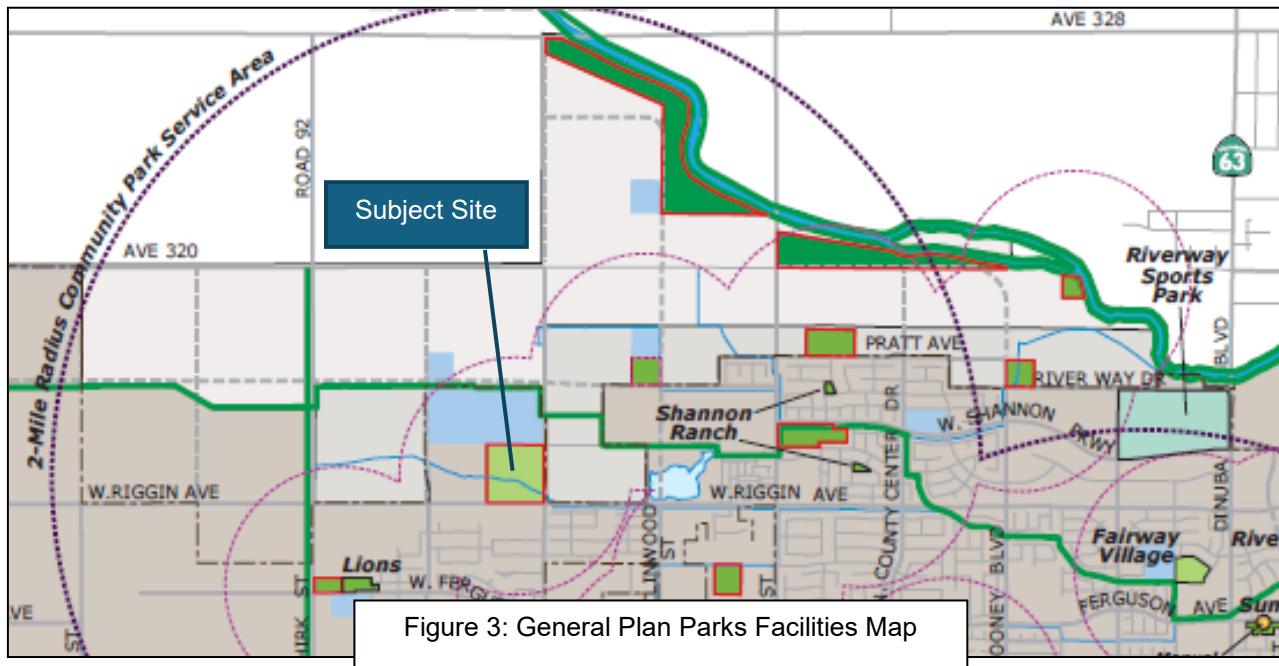
To the west of the city-owned site is a 29-acre parcel that is owned by a private entity and is zoned for high-density multi-family residential use. This parcel has been incorporated into the Carleton Acres Specific Plan. On May 29, 2025, a Conditional Use Permit application was filed with the City for a 442-unit development on this site, at a density of 15 units / acre consistent with R-M-3 zone standards; however, the application is incomplete at this time.

The surrounding area beyond the VUSD parcel is currently seeing a steady amount of growth and interest in future development planning. To the east, the 219-unit Ritchie Reserve Apartments are nearing completion, and two small-lot single family residential subdivisions have been proposed to the City, one of which has applied for a tentative subdivision map (i.e. Ritchie Ranch). To the west and northwest, the Carleton Acres Specific Plan was approved in 2023 for the long-term buildout of approximately 3,200 dwelling units and 29 acres of commercial uses anchored by Costco Wholesale at the corner of Shirk & Riggins and a future neighborhood commercial designation at the southwest corner of Akers Street & Avenue 320 (see Figure 1 and Figure 2 above).

General Plan Consistency

Community Park Designation

General Plan Policy PSCU-P-5 calls for the creation of a new community park to be built in and to serve the northwest quadrant. The policy generally states that the park shall be in the northwest, and the facility map shown as Figure 5-1 identifies the 21-acre site as the potential location of the community park (see Figure 3 below).



Policy PSCU-P-5 further states that community parks shall be 5 to 12 acres in size or more, and are intended to include resources beyond those found at neighborhood parks, such as a community center building, reserved picnic facilities, tennis courts, aquatic center, and/or outdoor concert area.

A community park would fill a void that currently exists for this type of facility that would be comparable to Recreation Park / Anthony Community Center or Whitendale Park / Community Center. The General Plan notes that the northwest quadrant currently lacks a community center building, and Policy PSCU-P-16 calls to provide at least one community center in each of the City's four neighborhood quadrants.

The community park would be different from Riverway Sports Park, located 2.5 miles to the east. The 83-acre Riverway Sports Park is considered a "large city park" that serves the greater Visalia area and contains several playing fields; however, it contains no community center or multi-use courts. The community park would also be larger in scale than neighborhood parks found throughout the City – the closest being Lions and Soroptimist Parks located one mile southwest or southeast from the site.

The current size of the project site, at 21 acres, is significantly larger than the policy guideline of "5 to 12 acres or more" for community parks. The proposed GPA / COZ would reduce the size of the Parks designation to 5 acres, which would remain within the size range of a community park.

Within the City's northwest quadrant, there are two other undeveloped Park land use designations that could facilitate a community park. These sites are 15 acres near the northeast corner of Demaree Street & Pratt Avenue and 10 acres fronting the future Riverway Avenue extension north of Modoc Basin. Both sites are visible in Figure 3 above. Both designated sites could facilitate the northwest quadrant's community park based on their acreage. There is a potential opportunity for the City to purchase the Demaree & Pratt land based on early preliminary discussions with a property owner in that area seeking to develop their property that has a park land use designation of equivalent acreage. There have been no discussions regarding the 10 acres of park designated land fronting the future Riverway Avenue extension north of Modoc Basin.

It should be noted that the conceptual use plan for Carleton Acres does plan for parks to be scattered throughout the development, but none being classified as neighborhood or community parks over two acres in size. This is intentional since the General Plan did not designate any land use designations for parks on the Carleton Acres site. The Parks and Recreation Department does not anticipate purchasing any land in the Carleton Acres neighborhood bound by Shirk, Akers, and Avenue 320.

Exhibit "B", attached to this report, illustrates non-residential land use designations in the surrounding vicinity.

Land Use Element/General Plan/Zoning

Land Use Policy LU-P-66 states that the Commercial Mixed Use land use designation allows for either horizontal or vertical mixed use development and a range of commercial, service, office, and residential uses. Commercial uses must be allowed for in a development, while residential uses may or may not be part of a development. The Zoning Ordinance further states, in Section 17.19.010, that the mixed use commercial zone district may permit development at both at key activity nodes and along corridors. There is no further locational criteria regarding Commercial Mixed Use elsewhere in the City.

Among Visalia's commercial designations (i.e. Regional Commercial, Neighborhood Commercial), Commercial Mixed Use zone provides the largest amount of flexibility for a commercial-oriented designation in terms of uses, size, and placement. The northwest area is not significantly underserved with retail uses at this time; however, the nearest existing shopping areas from the intersection are located at Demaree / Riggin (The Village at Willow Creeks) and Akers / Goshen (Key West Shopping Center), both of which are one mile away.

The project site has the potential to be served by multiple single-family and multi-family residential uses and major school facilities that are all adjacent to the site and would be accessed from the adjacent arterial/arterial intersection. Vacant land to the west is slated for the inclusion of an off-street bike/pedestrian trail linking the City site to the rest of the Carleton Acres development.

A larger Commercial Mixed Use designation (10+ acres) can facilitate a shopping center anchored by a supermarket, warehouse supermarket, or home improvement store and supported by additional retail and food establishments. The nearest such development is located at Demaree / Riggin (Lowes), one mile to the east.

The C-MU designation provides for the widest range of possible non-residential land use alternatives: commercial, retail, restaurant, professional and medical office uses, or residential as a stand-alone or mixed use. A full summary of all allowed land uses (permitted and conditionally permitted) in the C-MU zone is provided in Exhibit "A".

Potential Design Considerations and Future Request for Proposal (RFP) Process

If the City Council approves the proposed GPA / COZ, staff intends to prepare and circulate a Request for Proposal to solicit potential land developers to submit design proposals for this site that demonstrate the Council's desire to have a superior development design and layout for this site. The RFP process would spell out expectations of the development to embody a well-designed and attractive development with a high likelihood of success that will be compatible with and serve the school population as well as the surrounding community. The RFP would address the developer's responsibility to process the necessary Planning entitlement applications (if applicable) and CEQA environmental analysis for the alternative land use.

Staff's expectation is that a future City Council work session will be held to discuss the potential design requirements and land use limitations or stipulations that would apply to the site to ensure a superior development that aligns with Council's vision. This work session would be necessary to finalize the RFP's scope and content prior to its release. Upon successful completion of the RFP process, staff could then present the submittals to Council for their selection on the best design proposal submittal.

Environmental Review

An Initial Study and Negative Declaration were prepared for the proposed project. This environmental review was prepared for the proposed General Plan Amendment and Change of Zone only and does not consider any environmental impacts regarding any future development, as such development would also be subject to separate environmental review under the California Environmental Quality Act (CEQA) once details of the development are known.

Initial Study and Negative Declaration No. 2025-28, prepared in accordance with CEQA Guidelines, disclosed that environmental impacts are determined to be not significant. Staff concludes that Initial Study and Negative Declaration No. 2025-28 adequately analyzes and addresses the proposed project and concludes that environmental impacts related to this project will be at a level that is less than significant.

During the public comment period for the Negative Declaration, one comment letter was received by the State Department of Toxic Substances Control (see Exhibit "C"). The letter recommends that in instances where land is proposed to be rezoned to residential use, that the lead agency shall identify certain pesticide materials as described in the letter, which would determine if any remedial action is needed to bring levels below thresholds. Since no activity is proposed on the site and since no residential uses are being considered, no mitigation is necessary in response to the letter.

RECOMMENDED FINDINGS

General Plan Amendment No. 2025-02

1. That the proposed General Plan Amendment is consistent with the goals, objectives, and policies of the General Plan, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed General Plan Amendment from 21 acres of Parks/Recreation to 16 acres of Commercial Mixed Use and 5 acres of Parks/Recreation is compatible with adjacent land uses and will not impose new land uses that would adversely affect the subject site or adjacent properties.

3. That the proposed Commercial Mixed Use land use designation under the proposed General Plan Amendment results in the placement of a land use designation that provides an efficient transition from the arterial/arterial roadway intersection to residential, parks/recreation, and public institutional uses surrounding the site.
4. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2025-28 be adopted for this project.

Change of Zone No. 2025-03

1. That the Change of Zone is consistent with the intent of the General Plan and the Zoning Ordinance, and is not detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed Commercial Mixed Use (C-MU) zoning is consistent with the Commercial Mixed Use land use designation and compatible with adjacent land uses.
3. That the proposed Commercial Mixed Use zoning designation under the proposed Change of Zone results in the placement of a zoning designation that provides an efficient transition from the arterial/arterial roadway intersection to residential, parks/recreation, and public institutional uses surrounding the site.
4. That an Initial Study was prepared for the project including the Change of Zone, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2025-28 be adopted for this project.

RECOMMENDED CONDITIONS OF APPROVAL

General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

There are no recommended conditions of approval for the General Plan Amendment or the Change of Zone.

APPEAL INFORMATION

General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

For General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03, the Visalia Planning Commission's recommendations are advisory only and will be forwarded to the Visalia City Council. The final decision on these matters will be made by the Visalia City Council during a public hearing. Therefore, the Planning Commission's recommendations for the General Plan Amendment and Change of Zone are not appealable.

Attachments:

- Related Plans and Policies
- Resolution No. 2025-42 (General Plan Amendment)
- Resolution No. 2025-43 (Change of Zone)
- Exhibit “A” – Uses Allowed in the C-MU Zone
- Exhibit “B” – Non Residential Land Use Map
- Exhibit “C” – Correspondence from State Department of Toxic Substances Control
- Initial Study / Negative Declaration
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

RELATED PLANS AND POLICIES

VISALIA GENERAL PLAN

Land Use Element

LU-O-22 Create inclusive, compact neighborhoods with well-integrated single-family and multi-family residential development and activity nodes featuring schools, neighborhood parks, and neighborhood commercial areas.

LU-P-66 Update the Zoning Ordinance to reflect the Commercial Mixed Use designation on the Land Use Diagram, to allow for either horizontal or vertical mixed use development and a range of commercial, service, office, and residential uses.

New development in Commercial Mixed Use Areas should have an FAR of at least 0.4 and up to 1.0 for commercial space. If residential uses are included, density may be up to 35 dwelling units per gross acre. Commercial development must be part of all new development in the Commercial Mixed Use district.

LU-P-108 Designate land for Public/Institutional uses on the Land Use Diagram, including City Hall and other City buildings, County and other government buildings, schools, colleges and universities, hospitals, police and fire stations, the Municipal Airport, and waste management facilities.

LU-P-109 Facilitate the creation of mixed-use activity centers on and adjacent to the College of the Sequoias campus and on other land designated for public/institutional uses by locating commercial and mixed land use areas adjacent to existing or planned public facilities, and by allowing mixed uses to be developed on Public/Institutional land through a master planning process.

Parks, Schools, Community Facilities, and Utilities Element

PSCU-P-5 Create new community parks in the Northwest, Southwest, and Southeast quadrants, consistent with the Parks and Open Space diagram and the following planning guidelines:

- Size: 5-12 acres or more; and
- Facilities to be provided: large children's play area, reserved picnic facilities, open play fields, community building, bicycle parking, and offstreet parking. They also may include tennis courts, outdoor concert areas or other special facilities based on neighborhood needs and community input.

Community parks provide spacious areas for passive enjoyment or group gatherings, special attractions, and recreation facilities, including sports fields and swimming pools. A "heritage farm" and a habitat preserve are examples of special facilities that could be incorporated into community parks.

PSCU-P-16 Provide at least one community center in each of the City's four neighborhood quadrants. Use existing and new community center facilities to provide multicultural programs and teen recreation activities, and provide space for meetings and classes. Community centers should be designed with community input, including guidance from a cross-section of user groups.

Visalia currently operates five community centers as well as the Visalia Senior Center; none are in the City's Northwest or Southwest quadrants.

VISALIA MUNICIPAL CODE – TITLE 17 (ZONING)

Zoning Ordinance Chapter 17.19 – MIXED USE ZONES

17.19.010 Purpose and intent.

- A. The several types of mixed zones included in this chapter are designed to achieve the following:
 - 1. Encourage a wide mix of commercial, service, office, and residential land uses in horizontal or vertical mixed use development projects, or on adjacent lots, at key activity nodes and along corridors.
 - 2. Maintain Visalia's downtown Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as the traditional, medical, professional, retail, government and cultural center;
 - 3. Provide zone districts that encourage and maintain vibrant, walkable environments.
- B. The purposes of the individual mixed use zones are as follows:
 - 1. Mixed Use Commercial Zone—(C-MU). The purpose and intent of the mixed use commercial zone district is to allow for either horizontal or vertical mixed use development, and permit commercial, service, office, and residential uses at both at key activity nodes and along corridors. Any combination of these uses, including a single use, is permitted.
 - 2. Mixed Use Downtown Zone—(D-MU). The purpose and intent of the mixed use downtown zone district is to promote the continued vitality of the core of the community by providing for the continuing commercial development of the downtown and maintaining and enhancing its historic character. The zone is designed to accommodate a wide mix of land uses ranging from commercial and office to residential and public spaces, both active and passive. The zone is intended to be compatible with and support adjacent residential uses, along with meeting the needs of the city and region as the urban center of the city; to provide for neighborhood, local, and regional commercial and office needs; to accommodate the changing needs of transportation and integrate new modes of transportation and related facilities; and to maintain and enhance the historic character of the city through the application of architectural design features that complement the existing historic core of the city. (Ord. 2017-01 (part), 2017)

17.19.015 Applicability.

The requirements in this chapter shall apply to all property within the C-MU and D-MU zone districts. (Ord. 2017-01 (part), 2017)

17.19.020 Permitted uses.

Permitted uses in C-MU and D-MU zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017)

17.19.030 Conditional and temporary uses.

Conditional and temporary uses in the C-MU and D-MU zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017)

17.19.040 Required conditions.

- A. A site plan review permit must be obtained for any development in any C-MU and D-MU zones, subject to the requirements and procedures in Chapter 17.28.
- B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and recycling facilities;

C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced. (Ord. 2017-01 (part), 2017)

17.19.050 Off-street parking and loading facilities.

Off-street parking and off-street loading facilities shall be provided as prescribed in Chapter 17.34. (Ord. 2017-01 (part), 2017)

17.19.060 Development standards in the C-MU zones outside the downtown area.

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: fifteen (15) feet;
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: fifteen (15) feet;
 - 2. Rear: five (5) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 - 4. Side: five (5) feet (except where a building is located on side property line);
 - 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 - 6. Street side on corner lot: ten (10) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable. (Ord. 2017-01 (part), 2017)

Zoning Ordinance Chapter 17.52 – QUASI-PUBLIC ZONE

17.52.010 Purpose and intent.

The purpose and intent of the quasi-public zone is to provide a zone that is intended to allow for the location of institutional, academic, community service, governmental, and nonprofit uses. (Ord. 2017-01 (part), 2017; Ord. 9717 § 2 (part), 1997; prior code § 7630)

17.52.015 Applicability.

The requirements in this chapter shall apply to all property within the QP zone district. (Ord. 2017-01 (part), 2017)

17.52.020 Permitted uses.

Permitted uses in the quasi-public zone include public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries,

museums, art galleries, police and fire stations and other public building, structures and facilities; public playgrounds, parks and community centers. Permitted uses also include wireless telecommunication facilities on parcels that are a minimum of five (5) acres, subject to the requirements of Section 17.32.163 (Regulation of Wireless Telecommunication Facilities) of the Visalia Zoning Ordinance. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030. Other uses similar in nature and intensity as determined by the city planner. (Ord. 2017-01 (part), 2017: Ord. 2015-01 § 3 (part), 2015: Ord. 9717 § 2 (part), 1997: Ord. 9605 § 30 (part), 1996: prior code § 7631)

17.52.030 Conditional uses.

Conditional uses in the quasi-public zone include:

- A. Public and quasi-public uses of an education or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions, general hospitals, sanitariums, nursing and convalescent homes, senior care facilities, senior housing; not including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- C. Ambulance service;
- D. Electric distribution substations;
- E. Gas regulator stations;
- F. Public service pumping stations;
- G. Communications equipment buildings;
- H. Wireless telecommunication facilities on parcels that are a less than five (5) acres subject to the Section 17.32.163 of the Visalia Zoning Ordinance;
- I. Residential development specifically designed for senior housing;
- J. Other uses similar in nature and intensity as determined by the city planner.
- J. Emergency shelters, subject to Section 17.32.130;
- K. Low barrier navigation centers, subject to Section 17.32.135;
- L. Other uses similar in nature and intensity as determined by the city planner.

NEGATIVE DECLARATION

Project Title: General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

Project Description: **General Plan Amendment No. 2025-02** is a request by the City of Visalia to change the land use designation on a 16-acre portion of a 21-acre parcel from Parks/Recreation to Commercial Mixed Use. **Change of Zone No. 2025-03** is a request by the City of Visalia to change the zoning designation on a 16-acre portion of a 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use).

Project Location: The site is located on the northwest corner of Akers Street and Riggins Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103).

Project Facts: Refer to Initial Study for project facts, plans and policies, and discussion of environmental effects.

Attachments:

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)


DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

- (a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Negative Declaration has been prepared by the City of Visalia Planning Division in accordance with the California Environmental Quality Act of 1970, as amended. A copy may be obtained from the City of Visalia Planning Division Staff during normal business hours.

APPROVED
Brandon Smith, AICP
Environmental Coordinator

By: 

Date Approved: July 14, 2025

Review Period: 20 days

INITIAL STUDY

I. GENERAL

A. Description of the Project:

General Plan Amendment No. 2025-02, described as a request by the City of Visalia to change the land use designation on a 16-acre portion of an approximately 21-acre parcel from Parks/Recreation to Commercial Mixed Use; together with Change of Zone No. 2025-03, described as a request by the City of Visalia to change the zoning designation on a 16-acre portion of an approximately 21-acre parcel from QP (Quasi-Public) to C-MU (Commercial Mixed Use). The site is located on the northwest corner of Akers Street and Riggan Avenue, within the City of Visalia, County of Tulare (APN: 077-100-103).

The proposed Project consists of a General Plan Amendment (GPA) and a corresponding Change of Zone (COZ) within the subject property (APN: 077-100-103), located within the city limits of the City of Visalia. The Project site occupies 20.88 gross acres of undeveloped land, which is seasonally improved for agricultural uses (i.e., row crops).

Currently, the entire 20.88 acres of the Project site has a General Plan land use designation of Parks/Recreation and a Zoning designation of Quasi-Public (QP). The proposed GPA and COZ will establish a new General Plan land use designation and Zoning designation of Commercial Mixed Use (C-MU) on approximately 16 acres, on portions of the property facing the frontages of Akers Street and Riggan Avenue. The proposed GPA and COZ will leave approximately 5 acres with a General Plan land use designation of Parks/Recreation and a Zoning designation of Quasi-Public (QP), generally located on the northwest portion of the Project site.

Currently, the project only affects the land use and zoning designations. No development is proposed in correlation with the Project.

B. Identification of the Environmental Setting:

The project is located at the northwest corner of Akers Street and Riggan Avenue. The parcel consists of undeveloped land, which is which is seasonally improved for agricultural uses (i.e., row crops). A man made canal, Modoc Ditch, is in the center of the site and runs in an east-west direction. The site is bounded by West Sedona Avenue to the north, North Akers Street to the east, and West Riggan Avenue to the south.

The surrounding uses, Zoning, and General Plan for the project area are as follows:

	General Plan	Zoning	Existing uses
North:	Public Institutional	QP (Quasi-Public)	Ridgeview Middle School
South:	Residential Very Low Density	R-1-20 (Single-Family Residential, minimum lot size 20,000 square feet)	Neighborhood Church campus
East:	Residential Medium Density	R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area)	Residential apartment complex, under construction
West:	Residential High Density	R-M-3 (Multi-Family Residential, 1,200 sq. ft. minimum site area)	Vanant land seasonally improved for agricultural uses (i.e., row crops)

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment will be provided by the City of Visalia upon the development of the project area.

C. Plans and Policies: The General Plan Land Use Diagram designates the site as Parks / Recreation. The site is zoned Quasi-Public (QP). The Project consists of the conversion of a portion of the site to a General Plan land use designation and Zoning designation of Commercial Mixed Use (C-MU). No development is proposed at this time for the portion of project area to be zoned for Commercial Mixed Use, and there is no inconsistency with plans and policies related to this designation.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project. The City of Visalia Land Use Element and Zoning Ordinance contain policies and regulations that are designed to reduce and/or eliminate impacts to a level of non-significance.

III. MITIGATION MEASURES

There are no mitigation measures for this project.

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan and Zoning Ordinance as the project relates to surrounding properties.

V. SUPPORTING DOCUMENTATION

The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update) passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan) passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- City of Visalia Zoning Ordinance Update. City of Visalia, March 2017.
- Tulare County Important Farmland 2018 Map. California Department of Conservation, 2018.
- City of Visalia VMT Thresholds and Implementation Guidelines. LSA, 2021. Together with City of Visalia VMT Screening Application. <https://gis1.lsa.net/visaliaVMT/>

VII. NAME OF PERSON WHO PREPARED INITIAL STUDY



Brandon Smith, AICP
Principal Planner



Brandon Smith, AICP
Environmental Coordinator

INITIAL STUDY ENVIRONMENTAL CHECKLIST & EVALUATION OF ENVIRONMENTAL IMPACTS

Name of Proposal	General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03		
NAME OF PROPONENTS:	City of Visalia	NAME OF AGENT:	None
Address of Proponents:	315 East Acequia Avenue, Visalia, CA 93291	Address of Agent:	
Telephone Numbers:	(559) 713-4359	Telephone Number:	
Date of Review	July 14, 2025	Lead Agency:	City of Visalia

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact 2 = Less Than Significant Impact
3 = Less Than Significant Impact with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
 - 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
 - 1 c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
 - 1 d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
- a) The Project consists of a GPA and COZ that would affect two land use categories and corresponding zoning districts on the subject property. Such policy change will have no impact on scenic vistas, because no development is proposed. In the future, development proposed on the Project site will be required to undergo CEQA review which would address potential impacts on scenic vistas. The City of Visalia General Plan includes policies that promote new developments that are compatible and consistent with the natural and built environment and set forth design guidelines that define the unique character of Visalia. Furthermore, the City of Visalia Zoning Ordinance contains standards for setbacks, landscaping, and height requirements. The Sierra Nevada Mountain range may be considered a scenic vista; however, the view will not be adversely impacted by the project.
- b) The project consists of a GPA and COZ that would affect two land use categories and corresponding zoning districts on the subject property. Such policy change will have no impact on scenic resources, because none occur on the site. There are no state scenic highways adjacent to the site.

- c) The project site is located within an urbanized area and the City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is enhanced and not degraded upon any future development. Thus, the project would not substantially degrade the existing visual character of the site and its surroundings.

The Project consists of a GPA and COZ that would affect two land use categories and corresponding zoning districts on the subject property. Such policy change will have no impact on visual character or public views, because no development will occur. In addition, the GPA and COZ would change the acreage of Parks / Recreation lands on the site and would establish Commercial Mixed Use lands on the site. The establishment of Commercial land uses on the site is consistent with the character of other intersections of two arterial streets throughout the City, where it is common to have a commercial land use of at least five acres in size.

- d) The Project consists of a GPA and COZ which will impact allowed land uses on the site, resulting in an increase in Commercial land, and a decrease in Parks / Recreation land. This modification of the General Plan and Zoning maps will have no impact on light and glare, because no development will occur.

The City has development standards that require light to be directed and/or shielded so it does not fall upon adjacent properties.

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 1 c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?
- a) The project is located on property that is identified as Prime Farmland on maps prepared by the California Department of Conservation, and will involve the conversion of the property to non-agricultural use.

The City of Visalia 2030 General Plan has designated the Project site for urban uses under the Urban Growth Development Tier 1. The implementation of this Project will support the General Plan designation for future urban land use and Policy LU-P-20 for urban uses, including commercial development, which may develop within Tier 1 at any time consistent with the City's Land Use Diagram.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated, with agricultural conservation easements or by other means. However, the General Plan contains multiple policies that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan policies identified under Impact 3.5-1 of the EIR serve as the mitigation that assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

The project will be consistent with Policy LU-P-34. The conversion of the site from agricultural use to urban development does not require mitigation to offset the loss of prime farmland as stated in Policy LU-P-34. The policy states: "the mitigation program shall specifically allow exemptions for conversion of agricultural lands in Tier I."

Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

- b) The project is not located on property that is party to a Williamson Act contract. Existing City of Visalia zoning for the area is QP (Quasi-Public), which allows various urban and non-agricultural uses.
- c) The City of Visalia does not have a zoning classification for forest land; additionally, the site is not considered forest land and is currently vacant. Therefore, the site will not conflict with any forest land.
- d) There is no forest land currently located on the site.
- e) The project site is located directly at the northwest corner of Akers Street and Riggin Avenue and is bounded by properties within City Limits on all sides. The surrounding area is primarily developed with Residential and Quasi-Public uses. The project will not result in the conversion of Farmland to nonagricultural use or the conversion of forest land to non-forest use.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 1 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- 1 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 d) Create objectionable odors affecting a substantial number of people?

- a) The project site is in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan and will therefore not be a significant impact.

The Project proposes a GPA and corresponding COZ within a 21-acre site. The Project proposes decreasing the Parks / Recreation designation on the site from 21 to 5 acres and increasing the Commercial Mixed Use designation on the site to 16 acres. The Project will not change the amount of urbanized land uses allowed on the site, and will not change the type of uses toward uses that would be inconsistent with the development pattern of the city. As such, the Project is expected to have a less than significant impact regarding conflicting with or obstructing implementation of any applicable air quality plan.

- b) Future development of site under the Visalia General Plan may result in emissions that exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The change in land use and zoning itself will not result in emissions that violate air quality standards or contribute substantially to existing or projected air quality violations as it is solely the site's allowed land use designations.

The Project proposes a change in General Plan and Zoning maps only and will have no direct impact on air quality, as it will not generate any construction or development. When future development is proposed on the Project site, the City will undertake CEQA review and assess potential impacts on air quality, including emissions of criteria pollutants and pollutant concentrations near sensitive receptors.

All future projects will be required to adhere to SJVAPCD rules and regulations and City requirements for construction related activities to ensure compliance with the attainment or maintenance plans. Applicable standard requirements and best management practices include, but are not limited to, implementation of a dust control and management plan.

Evaluation of air quality impacts may be required if certain project types are proposed near sensitive receptor land uses. Project types subject to this requirement include certain types of gasoline dispensing facilities.

In addition, future development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD. Per the SJVAPCD, an Air Impact Assessment was completed for the project and the District has determined that the project is exempt from the requirements and as such the project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees.

Tulare County is designated non-attainment for certain federal ozone and state ozone levels.

- c) Future development of site under the Visalia General Plan may result in emissions that exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The change in land use and zoning itself will not result in emissions that violate air quality standards or contribute substantially to existing or projected air quality violations as it is solely the site's allowed land use designations.

The Project proposes a change in General Plan and Zoning maps only and will have no direct impact on air quality, as it will not generate any construction or development. When future development is proposed on the Project site, the City will undertake CEQA review and assess potential impacts on air quality, including emissions of criteria pollutants and pollutant concentrations near sensitive receptors.

All future projects will be required to adhere to SJVAPCD rules and regulations and City requirements for construction related activities to ensure compliance with the attainment or maintenance plans. Applicable standard requirements and best management practices include, but

are not limited to, implementation of a dust control and management plan.

Evaluation of air quality impacts may be required if certain project types are proposed near sensitive receptor land uses. Project types subject to this requirement include certain types of gasoline dispensing facilities.

In addition, future development of the project will be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD. Per the SJVAPCD, an Air Impact Assessment was completed for the project and the District has determined that the project is exempt from the requirements and as such the project complies with the emission reduction requirements of District Rule 9510 and is not subject to payment of off-site fees.

Tulare County is designated non-attainment for certain federal ozone and state ozone levels.

- d) The proposed GPA and COZ has no potential to generate odors, as no development will occur. The proposed GPA and COZ would facilitate commercial development, which typically do not emit odors that would adversely affect a substantial number of people. CEQA review of future development onsite will include analysis of the types of commercial uses proposed, to assure that no significant odors are emitted, or propose mitigation measures should the use generate such odors.

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on state or federally protected wetlands (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 1 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

- a) The proposed GPA and COZ will have no impact on any sensitive species, because no

development is proposed. Future project proposals will be required by the City to undergo review under CEQA, including the analysis of impacts to any on-site resources if applicable. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for conversion to urban use.

- b) The project is not located within an identified sensitive riparian habitat or other natural community. The project site is more than one mile from any natural river (i.e. St. Johns River) or creek (i.e. Mill Creek).

In addition, City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within in the Planning Area. With implementation of these policies and being that the project is not located within or adjacent to an identified sensitive riparian habitat or other natural communities, including woodlands, impacts on woodlands will be less than significant.

- c) The project contains a section of the Modoc Ditch which is identified as a riverine feature in the National Wetland Inventory (NWI). At the site visit, it was observed that the irrigation canal has a bare-ground bottom substrate and would not provide suitable habitat for any special-status aquatic species.

The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.

- d) The Project proposes only a map change and will not impact any wildlife movement or corridors. The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

Citywide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within the Planning Area. With implementation of these policies, impacts on wildlife movement corridors will be less than significant.

- e) The project will not conflict with any local policies or ordinances protecting biological resources. The City has a municipal ordinance in place to protect valley oak trees. No valley oak trees are located on site.
- f) There are no local, regional or state habitat conservation plans for the area.

V. CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
 - 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
 - 1 c) Disturb any human remains, including those interred outside of formal cemeteries?
-
- a) The proposed GPA and COZ have no potential to impact historic resources, because the Project consists only of a map change, and no development will occur. However, future development proposed on the site, which will be subject to review under CEQA, could impact resources.
 - b) The proposed GPA and COZ have no potential to impact archaeological resources, because the Project consists only of a map change, and no development will occur. However, future development proposed on the site, which will be subject to review under CEQA, could impact resources.
 - c) The Project proposes a map change only and will have no impact on disturbing human remains. Future development onsite will be subject to State Health and Safety Code Section 7050.5, which states that if human remains are encountered during site disturbance, all activity shall stop until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately and notify the Native American Heritage Commission (NAHC) if the remains are determined to be prehistoric. NAHC will determine and notify a Most Likely Descendant (MLD), who may inspect the site of the discovery with the landowner's permission within 48 hours of notification by the NAHC. Compliance with the requirements of state and local laws will ensure any potential impact to inadvertent discoveries of human remains due to future site development are reduced to less than significant levels.

VI. ENERGY

Would the project:

- 2 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
 - 1 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
-
- a) The Project proposes a general plan amendment (GPA) and a change of zone (COZ) on the 21-acre subject property and will not involve any development or energy consumption related to construction or operation. When future development is proposed onsite, its design and construction will be subject to the state Building Energy Efficiency Standards (Energy Code, Title 24, Part 6), which serves to ensure the economical and wise use of energy resources during construction and operational phases.
 - b) The project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. The proposed project will comply with all state and local policies related to energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
 - 1 b) Result in substantial soil erosion or loss of topsoil?
 - 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
 - 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
 - 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
 - 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
-
- a) The Project proposes a GPA and COZ and does not propose any development. The Project will have no impact on geology and soils. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines or areas prone to seismic activity or landslides. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
 - b) The Project proposes a GPA and COZ on the 21-acre subject property and does not propose any development. Any future development of this site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that on- and off-site improvements will be designed to meet City standards.
 - c) The project area is relatively flat and the underlying soil is not known to be unstable and have a low capacity for landslides, lateral spreading, subsidence, liquefaction, or collapse. Soils in the Visalia area have few limitations regarding development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
 - d) Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
 - e) Future development will not include any development that would utilize the need for septic tanks or alternative wastewater disposal systems since City standards require that sanitary sewer lines be installed and utilized for the disposal of wastewater at this site.
 - f) There are no unique geological features, and no known paleontological resources located within the project area. If some potentially unique paleontological or unique geological resources are unearthed during future development, all work should cease until a qualified professional paleontologist can evaluate the finding and make necessary mitigation recommendations.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 1 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 1 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

- a) The Project proposes a GPA and COZ on the 21-acre subject property and will not generate any development or greenhouse gas emissions. The proposed GPA and COZ will not conflict with any state and local plan, policy and regulation aimed at reducing GHG emissions.

The City has prepared and adopted a Climate Action Plan (CAP), which includes baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR. The Visalia General Plan and CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan.

- b) The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 “baseline” levels by 2020 and to a level 80% below 1990 baseline levels by 2050. In addition, the State has enacted SB 32 which included provisions for reducing the GHG emission levels to a level 40% below 1990 baseline levels by 2030.

The proposed project will not impede the State’s ability to meet the GHG emission reduction targets under AB 32. Current and probable future state and local GHG reduction measures will continue to reduce the project’s contribution to climate change. As a result, the project will not contribute significantly, either individually or cumulatively, to GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?
- a) The Project proposes a GPA and COZ on the subject property and will have no impact on hazards or hazardous materials. The GPA and COZ would only change the acreage of park and commercial designations on-site. No hazardous materials are anticipated with the project as currently proposed.
- b) The Project proposes a GPA and COZ on the subject property and will have no impact on hazards or hazardous materials. The GPA and COZ would only change the acreage of park and commercial designations on-site. No hazardous materials are anticipated with the project as currently proposed.
- c) The Project proposes a GPA and COZ on the subject property and will have no impact on hazards or hazardous materials. The GPA and COZ would only change the acreage of park and commercial designations on-site. No hazardous materials are anticipated with the project as currently proposed. The closest school to the Project site is Ridgeview Middle School, located directly north of the site.
- d) The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e) The Tulare County Comprehensive Airport Land Use Plan shows the project area is located outside the Airport Influence Area and the Airport Safety Zones. Therefore, the project will not result in a safety hazard or excessive noise for people residing or working in the project area.
- f) The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- g) There are no wildlands within or near the project area.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 1 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 1 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 1 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
- 1 i) result in a substantial erosion or siltation on- or off-site;
- 1 ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
- 1 iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
- 1 iv) impede or redirect flood flows?
- 1 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

- a) The Project proposes a GPA and COZ on the 21-acre subject property and does not propose any development. The Project will have no impact on surface or ground water quality, nor violate any water quality standards or wastewater discharge requirements. The proposed map change onsite will have no impact on groundwater supplies or recharge and will not impede sustainable groundwater management, nor conflict with a water quality control plan or sustainable groundwater management plan.

The project will not violate any water quality standards of waste discharge requirements. Future development of the project site would be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system, consistent with the City's adopted City Storm Drain Master Plan.

- b) The project will not substantially deplete groundwater supplies in the project vicinity. Future development of the project site will be served by a water lateral for domestic, irrigation, and fire protection use.

The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Future development within the project area will result in an increase of impervious surfaces, which might affect the amount of precipitation that is recharged to the aquifer. As the City of Visalia is already largely developed and covered by impervious surfaces, the increase of impervious surfaces through this project will be small by comparison. Any future project therefore might affect the amount of precipitation that is recharged to the aquifer. The City of Visalia's water conservation measures and explorations for surface water use over groundwater extraction will assist in offsetting the loss in groundwater recharge.

- c) The project will not result in substantial erosion on- or off-site. Future development of the site will not alter the course of any rivers or streams as neither are located near the site.

Development of the site has the potential to affect drainage patterns in the short term due to erosion and sedimentation during construction activities and in the long term through the expansion of impervious surfaces. The City's existing standards may require the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit process, which would address erosion control measures.

The project will not substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The development of the site will also not impede or redirect flood flows.

Development of the site will create additional impervious surfaces, such as streets. However, existing and planned improvements to storm water drainage facilities as required through the Visalia General Plan policies will reduce any potential impacts to a less than significant level.

The project will not create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The development will be required to meet the City's improvement standards for directing storm water runoff to the existing City storm water drainage system; consistent with the City's adopted City Storm Drain Master Plan.

- d) The project area is not located within a flood hazard, tsunami, or seiche zone.

The project area along with the entirety of the City of Visalia lies within the dam inundation area of Terminus Dam, located approximately 35 miles to the east from the project site. In the case of dam failure, people and structures would be exposed to flooding risk and potentially pollutants. This impact is considered significant and unavoidable.

- e) The project will not conflict with or obstruct implementation of a water quality plan or sustainable groundwater management plan. The Visalia General Plan Update Environmental Impact Report

(EIR) has already considered the environmental impacts of the placement of people and structures to an area at risk of dam failure. The General Plan contains multiple policies that address the issue, and the County of Tulare maintains the Tulare County Hazard Mitigation Plan and a Mass Evacuation Plan that will help to reduce the impact.

Because there is still a significant impact, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 2 b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

- a) The Project proposes a GPA and COZ on the 21-acre subject property and does not propose any development. The Project site is currently vacant and undeveloped, surrounded by public roadways on the north, east and south, and similar vacant land on the west. The Carleton Acres Specific Plan applies to private property located directly west of the site. The Specific Plan's land use and circulation concept illustrates a future local roadway to be developed on the west side of the Project site adjacent to the Specific Plan area. Since this area will operate independently, it will not be physically divided by future development on the Project site. No impact will occur.
- b) The Visalia General Plan designates land use categories to the property, and includes objectives and policies that guide growth within the Planning Area. Currently the General Plan designates the entire 21-acre Project site for Parks/Recreation. The City's Zoning Map further zones the property as Quasi-Public (QP). While General Plan Table 9-1, Consistency Between the Plan and Zoning, states that the Consistent Zoning District to the Parks/Recreation General Plan Land Use Designation is PR, the Zoning Map currently does not utilize a PR designation. Rather, the QP zone is the most consistent zoning district to this land use designation, based upon the QP zone district's Purpose and intent (Municipal Code Section 17.52.010) and Permitted uses (Municipal Code Section 17.52.030), which support parks and uses providing community service.

The proposed GPA and COZ would result in the establishment of 16 acres of Commercial Mixed Use land use and zoning designation at this location and a decrease in the area under the Parks/Recreation land use designation and QP zoning designation from 21 acres to 5 acres on the site. The City of Visalia's General Plan and Zoning ordinance do not contain any policies or regulation that would otherwise regulate the placement or location of the Commercial Mixed Use designation at this location.

General Plan Policy PSCU-P-5 calls for the creation of a new community park to be built in and to serve the northwest quadrant. The policy generally states that the park shall be in the northwest, and the facility map shown as Figure 5-1 identifies the 21-acre Project site as the potential location of the community park. Policy PSCU-P-5 further states that community parks are intended to include resources beyond those found at neighborhood parks, such as a community center building, reserved picnic facilities, tennis courts, aquatic center, and/or outdoor concert area.

The current size of this parcel is significantly larger than the policy guideline of "5 to 12 acres or more" for community parks. With the proposed GPA and COZ, the resulting 5 acres of Parks/recreation designation would still meet the size criteria for a community park. Currently there are two other undeveloped Park/Recreation land use designations in the northwest quadrant of at least five acres in size that could facilitate a community park. These sites are 15 acres near the

northeast corner of Demaree Street & Pratt Avenue and 10 acres fronting the future Riverway Avenue extension north of Modoc Basin. Both designated sites could facilitate the northwest quadrant's community park based on their acreage. Therefore, the Project will not result in a conflict with this General Plan policy.

XII. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?
 - 1 b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?
- a) No mineral areas of regional or statewide importance exist within the Visalia area.
- b) There are no mineral resource recovery sites delineated in the Visalia area.

XIII. NOISE

Would the project result in:

- 1 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
 - 1 b) Generation of excessive groundborne vibration or groundborne noise levels?
 - 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- a) The Project proposes a GPA and COZ on the 21-acre subject property and does not propose any development. The Project will have no impact on noise. When future development is proposed onsite, noise impacts will be analyzed during the CEQA review and building permit processes. The City may require the preparation of site-specific noise studies to assess impacts from roadway noise, as appropriate. Should noise levels on the Project site require mitigation, there are a variety of means such as noise attenuation walls and limiting the hours of operation on activities.
- Future development of the site will result in noise generation typical of urban development, but should remain within the standards established in the City of Visalia's General Plan or Noise Ordinance. Noise levels would increase temporarily during construction of the site but should remain within noise limits and will be restricted to the allowed hours of construction defined by the City of Visalia Noise Ordinance. Temporary increase in ambient noise levels is less than significant.
- Furthermore, the Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to any sensitive land uses. With implementation of Noise Impact Policies and existing City Standards, noise impacts to new noise sensitive land uses would be less than significant.
- b) The Project will have no impact on noise. Ground-borne vibration or ground-borne noise levels could occur in the future because of construction activities associated with any development. Any

construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period; thus, the impacts will be less than significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.

- c) The project site is not located within the Airport Influence Area nor within the Airport Safety Zones nor near a private airstrip and therefore will not expose people residing or working in the project area to excessive noise levels.

XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- 1 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
- a) The project will not directly induce substantial population growth that is more than what is planned in the General Plan. The proposed GPA and COZ would reduce the area designated for park development and increase the area designated for commercial development onsite. Since there are no residential uses involved, there is no difference in population growth compared to that under the existing land use designations. The Project would not induce unplanned population growth either directly or indirectly. No impact would occur.
- b) The Project and any future development will not displace any housing or people as the proposed site is currently vacant.

XV. PUBLIC SERVICES

Would the project:

- 1 a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
- 1 i) Fire protection?
- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?
- a)
- i. Current fire protection facilities are located at Visalia Station 56 and can adequately serve the site without a need for alteration. Impact fees will be paid upon future development to mitigate the project's proportionate impact on these facilities.
- ii. Current police protection facilities can adequately serve the site without a need for alteration.

Impact fees will be paid upon future development to mitigate the project's proportionate impact on these facilities.

- iii. The Project will have no impact on public services. Future development proposed on the Project site will be assessed under CEQA, to determine whether it will impact public services. The area surrounding the Project site is partially developed and in an area that already receives public services.
- iv. The Project will have no impact on public services. Future development proposed on the Project site will be assessed under CEQA, to determine whether it will impact public services. The area surrounding the Project site is partially developed and in an area that already receives public services.
- v. Other public facilities can adequately serve the site without a need for alteration.

XVI. RECREATION

- 1 a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
 - 1 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?
- a) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. There will be no impact on recreational facilities. Future development may contribute to park impact fees, which would cover the additional costs associated with providing parks and recreational services. These issues will be reviewed under CEQA as future development projects are proposed.
- b) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. There will be no impact on recreational facilities.

XVII. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
 - 1 b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?
 - 1 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
 - 1 d) Result in inadequate emergency access?
- a. The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. There will be no impact on transportation. Future development may contribute to transportation impact fees, and would be required to address its traffic impacts in the CEQA review process.

The development which could occur under the Project would generate additional commercial trips, but reduced park/recreation trips. Since the type and density of development is not known at this time, it would be entirely speculative to predict trip generation for either the park or commercial

portions of the Project site. A Transportation Impact Analysis (TIA) will be required per the City Transportation Impact Analysis Guidelines if the development would generate a net increase of 100 or more peak hour vehicle trips. The TIA will include mitigation measures where necessary, including fair share contributions.

There are existing bike lanes on Riggins Avenue, immediately east of the Project site. When development occurs, it will be required to extend these bike lanes along the Project frontage, consistent with City requirements.

Visalia Transit provides a bus service to the city. Existing service on route #7 includes a stop at the fronting intersection. As the community develops, including the Project site, additional stops will be provided to support ridership.

- b. Under SB 743, CEQA Guidelines Section 15064.3 was amended December 2018, stating that vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. A lead agency may use models or other methods to analyze a project's VMT quantitatively or qualitatively. The City of Visalia, in determining the significance of transportation impacts for land use projects and for compliance with CEQA, recognizes the adopted City of Visalia Vehicle Miles Travelled (VMT) Thresholds and Implementation Guidelines (LSA, 2021, herein referred to as "Guidelines") recommended threshold as the basis for what constitutes a significant or less than significant transportation impact.

The proposed GPA and COZ will have no impact on VMT. The development of park and commercial projects in the future will require a VMT analysis. At the time that a development is proposed, its impact on regional VMT will be analyzed, to ensure that if any significant VMT impacts were to occur, they could be reduced to less than significant levels. It should be noted, however, that the adjacency of residential, commercial, and park land uses, being that the Project site is surrounded by residential uses, tends to reduce VMT because of the synergistic relationship between where people reside and where they work and shop.

- c. The GPA and COZ will only result in a map change, and no development will occur. Future development will be subject to City standards regarding roadway improvements, parking, and emergency access, either through CEQA or through conditions of approval.

The Project site is in the established street system of the city and region, and future development is not expected to interfere with the system.

- d. Future development on the Project site will be required to meet City design standards for adequate access by emergency vehicles and comply with all applicable fire code and ordinance requirements for geometric design and site access.

XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 1 i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 1 ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code §

5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The City has conducted formal government-to-government consultation with tribes under SB 18. As a result of that consultation effort, the City received one letter from the Table Mountain Rancheria, stating that the project site is beyond their area of interest. No other correspondence was received from any other tribes. It is important to note, as described in Section V., that the proposed Project will not include any ground disturbance, and future development will be subject to future CEQA review, and mitigation as needed for project-specific impacts.

Therefore, no impacts are identified or anticipated, and no mitigation measures are required at this time.

The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

- a) The site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
- b) The site has been determined to not be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
 - 1 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
 - 1 c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
 - 1 d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
 - 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?
- a) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on utilities. Future development will consider utilities as part of the CEQA review and land use application process.

The Visalia wastewater treatment plant has a current rated capacity of 22 million gallons per day but currently treats an average daily maximum month flow of 12.5 million gallons per day. With the completed project, the plant has more than sufficient capacity to accommodate impacts associated with the project. The proposed project will therefore not cause significant environmental impacts.

The development onsite will be required to install City storm water drainage lines that handle on-site and street runoff. Usage of these lines is consistent with the City Storm Drain Master Plan.

These improvements will not cause significant environmental impacts. The project also does not require the relocation or construction of new or expanded electric power, natural gas, or telecommunications.

- b) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on utilities. California Water Service Company oversees the Project site as part of their long-range planning, accounting for local population growth and development trends in the Project area.
- c) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on wastewater. The City has determined that there is adequate capacity existing to serve the site's projected wastewater treatment demands at the City wastewater treatment plant upon future development of the project. However, the real impacts associated with the City's wastewater system will be assessed when development is known and can be quantified.
- d) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on solid waste disposal. Future commercial customers on the Project site will be assessed fees for solid waste service. The transfer stations and landfills in the region currently have sufficient capacity to accommodate future development. Future development on the Project site will be required to analyze demand and capacity for solid waste disposal as part of the CEQA process.
- e) The Project proposes a GPA and COZ on the 21-acre subject property and involves no development. The Project will have no impact on solid waste disposal. The project will be able to meet the applicable regulations for solid waste. Removal of debris from future construction will be subject to the City's waste disposal requirements.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
 - 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
 - 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
 - 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?
- a) The proposed GPA and COZ will have no impact on wildfire hazards, as no development is proposed. The project will not substantially impair an adopted emergency response plan or emergency evacuation plan.
 - b) The project site is located on a flat area of agriculture and urban land which is at little risk of fire.
 - c) The future development of the site will include the development of infrastructure such as roads, sewer lines, power lines and utilities, however all improvements would be subject to City standards and Fire Marshal approval. The proposed project would not exacerbate fire risk.

- d) The project site is flat and therefore is not susceptible to downslope or downstream flooding or landslides as a result of post-fire instability, or drainage changes.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- 1 a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 2 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- 2 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
- a) As described above, the Project proposes a map change only and does not involve any development or construction. There will be no impact on biological and cultural resources.
- b) This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- c) This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2019

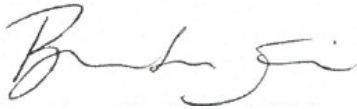
Authority: Public Resources Code sections 21083 and 21083.09

Reference: Public Resources Code sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3/21084.2 and 21084.3

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- ☐ I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37 adopted on October 14, 2014. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

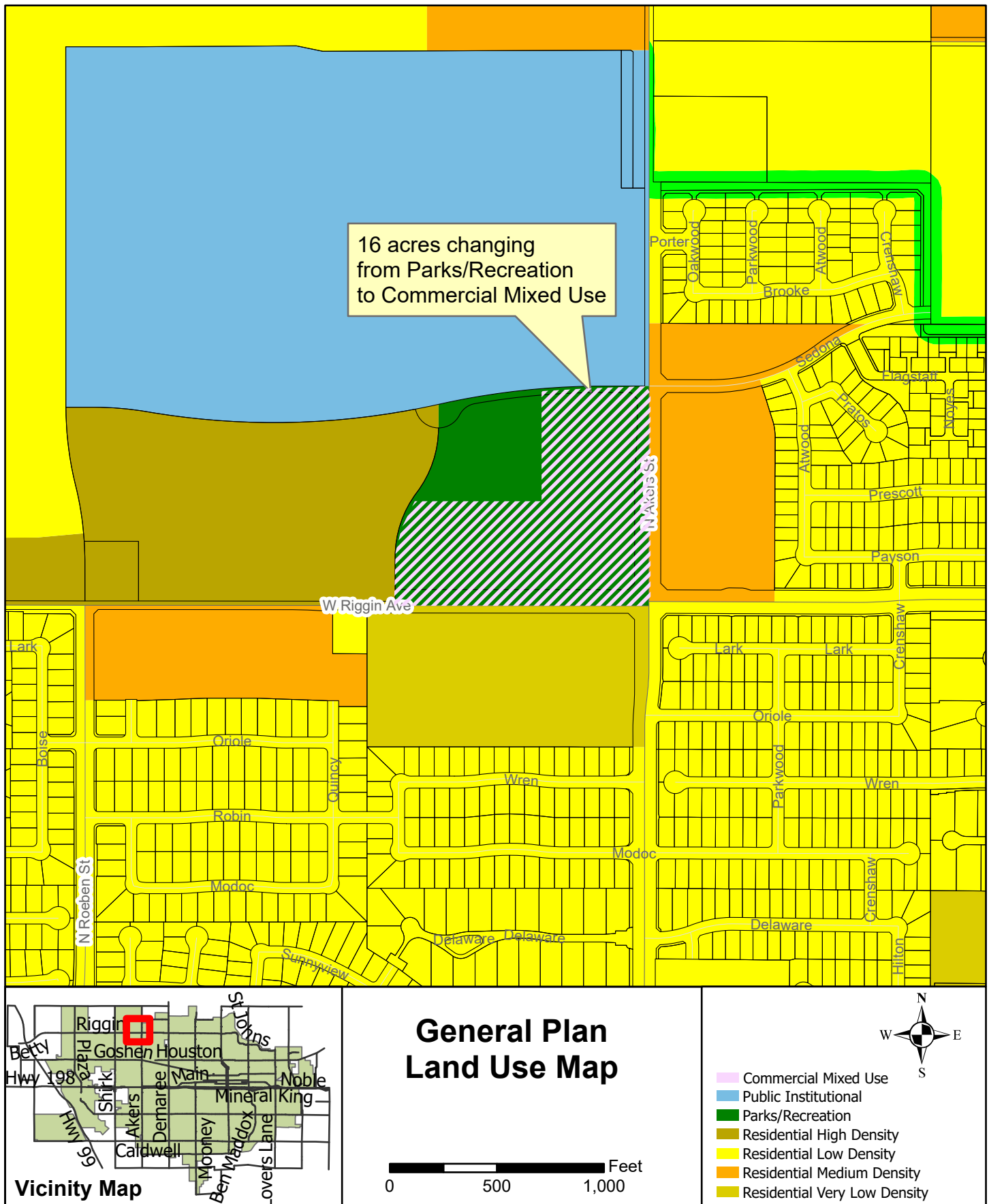


Brandon Smith, AICP
Environmental Coordinator

July 14, 2025
Date

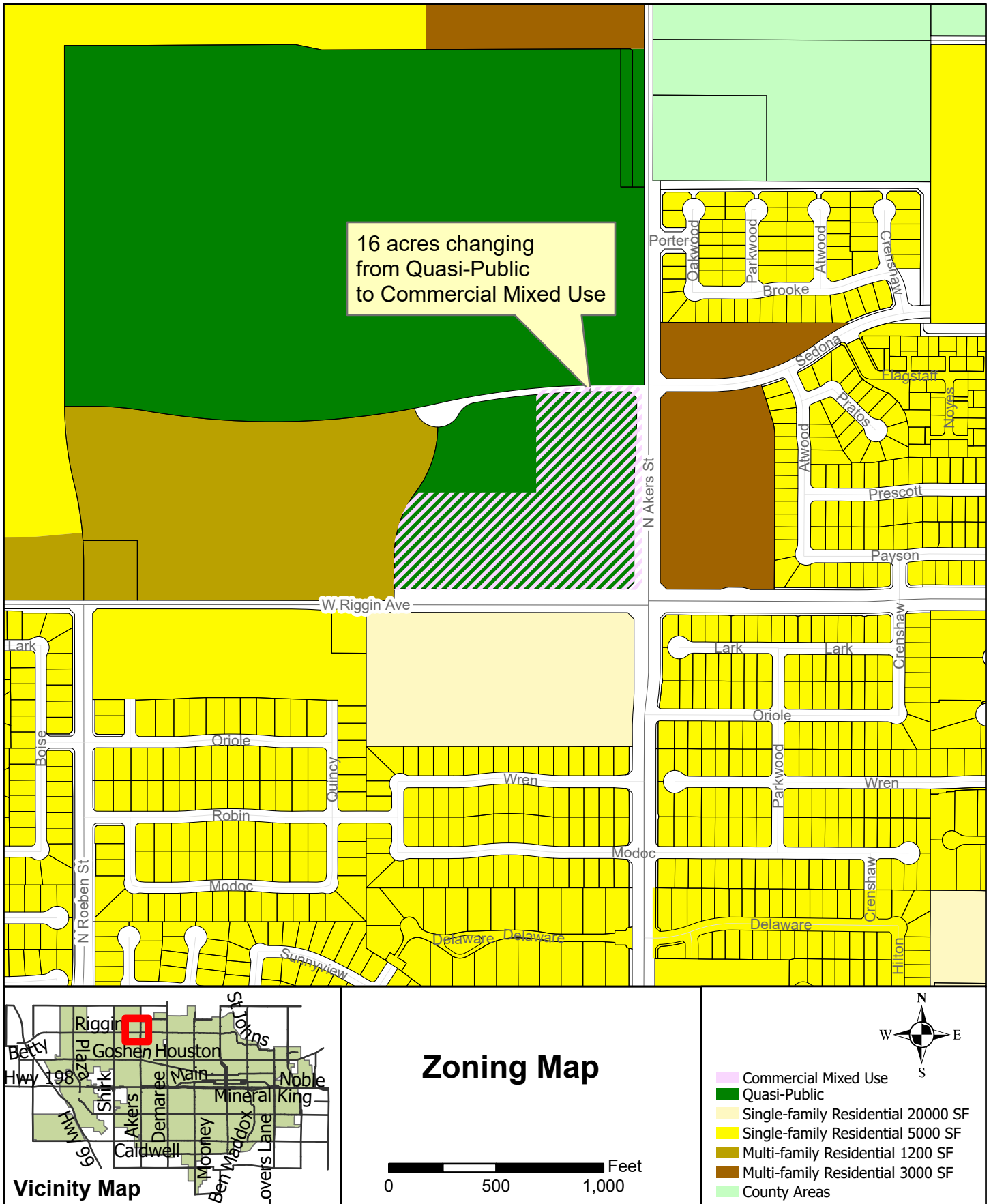
General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

The property is located at the northwest corner of N Akers St and W Riggan Ave, within the city limits of Visalia, Tulare County. (APN: 077-100-103).



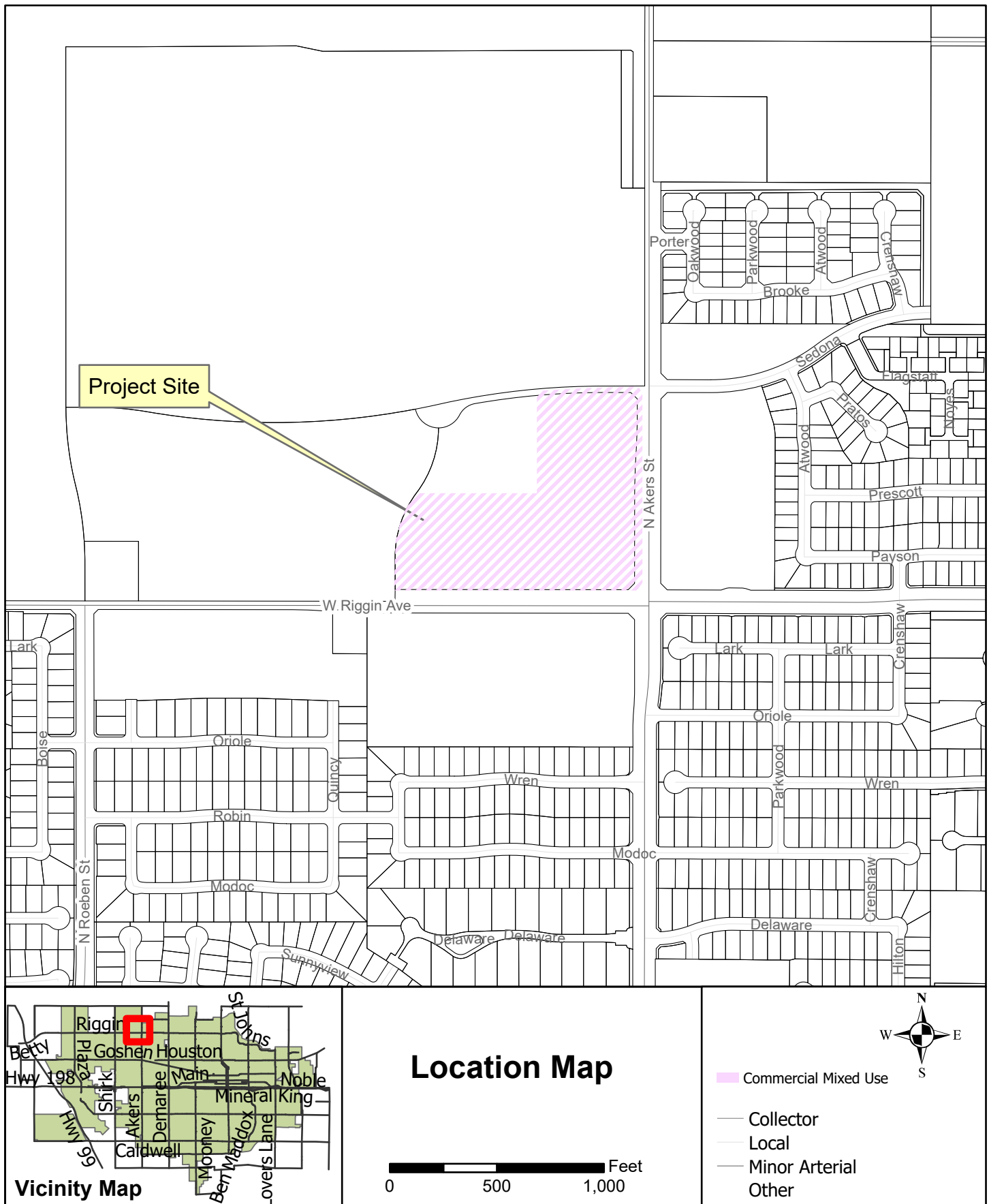
General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

The property is located at the northwest corner of N Akers St and W Riggan Ave, within the city limits of Visalia, Tulare County. (APN: 077-100-103).



General Plan Amendment No. 2025-02 and Change of Zone No. 2025-03

The property is located at the northwest corner of N Akers St and W Riggan Ave,
within the city limits of Visalia, Tulare County. (APN: 077-100-103).





Visalia City Council

Staff Report

Visalia City Council
707 W. Acequia
Visalia, CA 93291

File #: 25-0250

Agenda Date: 9/2/2025

Agenda #: 1.

Agenda Item Wording:

Upcoming City Council Meetings

Monday, September 15, 2025 @ 7:00 p.m. at 707 W. Acequia

Monday, October 6, 2025 @ 7:00 p.m. at 707 W. Acequia

Note: Meeting dates and 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 contact 713-4512.

Written materials relating to an item on this agenda submitted to the Council after distribution of the agenda are available for public inspection in the Office of the City Clerk, 220 N. Santa Fe Street, Visalia CA 93292, during normal business hours.