

Visalia City Council City Council Meeting Agenda - Final

Visalia City Council 707 W. Acequia Visalia, CA 93291

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

Monday, March 20, 2023

7:00 PM

City Council Chambers

ROLL CALL

CALL TO ORDER WORK SESSION - NO WORK SESSION SCHEDULED PUBLIC COMMENTS

Citizens are now invited to comment on issues within the jurisdiction of the Visalia City Council. 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) - NO WORK SESSION SCHEDULED

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

CALL TO ORDER REGULAR SESSION - 7:00 PM

PLEDGE OF ALLEGIANCE

INVOCATION

ITEMS OF INTEREST

SPECIAL RECOGNITION - Jennah Creason

PUBLIC COMMENTS

This is the time for citizens to comment on subject matters that are not on the agenda and within the jurisdiction of the Visalia City Council. The Council asks that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome.

This is also the time for citizens to request an item from the Consent Calendar be pulled for discussion purposes. Public comments related to all pulled Consent Calendar items and Regular or Public Hearing items listed on the agenda will be heard at the time that item is discussed or when the Public Hearing is opened.

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.

CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

1.	Authorization to read ordinances by title only.	<u>23-0108</u>
2.	Consideration of a mural application request from Visalia Veterans Mural Restoration Foundation, Inc. for one temporary banner proposed on the west face of a block wall that holds the World War II Greatest Generation mural, located at 6320 South Mooney Boulevard.	<u>23-0065</u>
3.	Accept the City of Visalia Cash and Investment Report for the second quarter of the fiscal year which consists of months October, November, and December 2022.	23-0094
4.	Acceptance of the 2022 Housing Element Annual Progress Report (APR).	<u>23-0085</u>
5.	Consider reauthorization of Stage 2 of the Visalia Water Conservation Ordinance and adopt resolution 2023-06.	<u>23-0098</u>
6.	Authorize the City Manager to: 1) Enter into a contract with Don Berry Construction to furnish and install a video detection system at the intersection of Plaza Drive and Riggin Avenue for a not to exceed amount of \$75,000, and appropriate \$75,000 from the Measure R Local Fund (Fund 131), 2) Appropriate \$55,000 from the General Fund (Fund 001), purchase video detection equipment to replace damaged video detection equipment at the intersection of Akers Street and Riggin Avenue, and the purchase of a spare video detection system for future replacement of any damaged or failing video detection equipment in the future.	<u>23-0071</u>

- 7. Authorize the City Manager to award RFB No. 22-23-42 for 23-0086 property abatement of developed properties throughout the City of Visalia to Joe Grijalva Landscaping in the amount not to exceed \$210,000 annually.
- 8. Authorize the City Manager to execute a new contract with Kings Petroleum, LLC for the supply and delivery of petroleum products. This contract will be for one year, with 4 optional one-year renewals, and an annual not to exceed amount of \$1,500,000.

23-0089

23-0078

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. First reading of the Ordinance 2023-03 new Visalia Municipal Code Section 9.24.060 to be added to the City of Visalia Municipal Code establishing regulations prohibiting the unlawful possession of a catalytic converter in the City of Visalia.
- 2. Approve Resolution 2023-05 to ratify the Proclamation of Local 23-0103 Emergency that was declared on March 13, 2023, due to the threatened existence of conditions of extreme peril to the safety of persons and property within said city caused by excessive past and expected rainfall and snowfall, resulting in uncontrolled waters coming from local rivers and streams.

CLOSED SESSION REPORT - NONE ADJOURNMENT

1. UPCOMING CITY COUNCIL MEETINGS:

23-0084

Thursday, March 23, 2023 @ 6:00 p.m., Special Joint Meeting w/ VUSD and COS, 915 S. Mooney, Porter Field House.

Monday, April 03, 2023 @ 7:00 p.m., 707 W. Acequia.

Monday, April 17, 2023 @ 7:00 p.m., 707 W. Acequia.

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

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

Any written materials relating to an item on this agenda submitted to the Council after distribution of the agenda 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

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0108 **Agenda Date: 3/20/2023 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 #: 23-0065 Agenda Date: 3/20/2023 Agenda #: 2.

Agenda Item Wording:

Consideration of a mural application request from Visalia Veterans Mural Restoration Foundation, Inc. for one temporary banner proposed on the west face of a block wall that holds the World War II Greatest Generation mural, located at 6320 South Mooney Boulevard.

Deadline for Action: 3/6/2023

Submitting Department: Community Development

Contact Name and Phone Number:

Brandon Smith, Principal Planner, (559) 713-4636, <u>brandon.smith@visalia.city</u>
<a href="mailto:brandon.smith@v

Department Recommendation:

Staff recommends, based on the recommendation of the Mural Panel, that this application for the temporary banner related to the World War II Greatest Generation mural, located at 6320 South Mooney Boulevard, be approved with the image proposed by the applicant (see Attachment 2).

Background Discussion:

The City of Visalia received a mural application (see Attachment 1) on February 21, 2023, from the Visalia Veterans Mural Restoration Foundation, Inc. for a temporary banner to be affixed on the block wall that holds the World War II Greatest Generation mural, located at 6320 South Mooney Boulevard.

The original mural was approved by the City Council in 2005, and was installed in 2006, and consists of thirty-six 4-foot by 8-foot panels (overall dimensions: 72-ft. wide x 20-ft. tall) painted by artist Glen Hill. Sixteen years later, the mural panels have suffered excessive wear, tear, and fading due to the sun and outdoor elements. In addition, the hardware that affixed the panels to the wall has disintegrated, which has caused some of the panels to fall off the wall and be put into storage. The applicant is currently working with the artist, who now lives out of state, to have the panels professionally restored. Further details regarding the mural's condition and restoration are in Attachment 4. The target date for completing restoration is November 28, 2023.

In the interim period, a banner measuring 70-feet wide x 18-feet tall would be placed on the wall. Most of the banner will contain an exact replica of the original image with a tan or light contrasting color border, and the bottom of the mural will contain 2- to 3-foot-tall lettering that provides the mural status and donation information. The banner will be fabricated by a local sign & screen-printing company, made of a durable and weather resistant vinyl, and will be anchored directly onto the existing block wall.

A reduced-size sketch of the banner was submitted as Attachment 2. The message to be placed on the bottom of the mural would read as follows:

"The World War II Greatest Generation Mural is currently under renovation and will return in Fall

File #: 23-0065 Agenda Date: 3/20/2023 Agenda #: 2.

of 2023."

Donations can be sent to the Visalia Veterans Mural Restoration Find Inc. at P.O. Box 1291, Visalia, CA 93279. Please support the mural.

A press release page that profiles the original artist, Glen Hill, was also submitted as Attachment 3.

The George Family Trust is the property owner of the site and has given permission to the applicant to proceed with filing an application on their property. The property owner has given a deadline of November 28, 2023, for the restoration work to be completed. The applicant has recently become a 501(c)(3) organization in order to raise the funding necessary for the restoration of the mural.

Mural Agreement:

Staff is not imposing the mural agreement upon this banner, since the banner is being placed as a substitution over the existing mural location and since the mural does not contain any new or revised artwork, only some additional wording.

Mural Panel Review:

In accordance with the City's Mural Guidelines and Procedures, the Mural Panel consisting of a representative from the Arts Consortium (Ampelio Mejia Perez), Arts Visalia (Alison Schlick Miniaci), and a mayoral appointment (Walter Deissler) convened to review the application. The purpose of the Panel is to assure compliance with local ordinances and the mural guidelines and to determine whether the artist has the ability to produce a quality piece of art. Due to the short timeline associated with the temporary email, the Mural Panel reviewed the proposed temporary mural via e-mail.

It should be noted however that this banner will contain no new or revised artwork, as the image would be an exact copy of the original mural approved by City Council in 2005. The only new components to the banner would be the border and lettering. The mural process affords the applicant the ability to display an oversized banner (i.e., 1,260 square feet) for a period of up to one year, given that the City's Sign Ordnance only authorizes a maximum banner size of 32 square feet.

The Panel was not opposed to the displaying of the banner for about one year. There was preference for the banner to remain up for no more than one year, since that should be adequate time for the message to be displayed. One panel member did question whether allowing a banner with an advertisement for donation could be setting up an undesirable precedence.

Fiscal Impact:

No fiscal impact to the City. The applicant is responsible for the installation, maintenance, and removal of the banner as well as the mural.

Prior Council Action:

On May 2, 2005, the City Council approved the site location for the mural. On November 30, 2004, the City Council accepted the content of the mural without approving the site location.

Other: None.

Alternatives: None.

Recommended Motion (and Alternative Motions if expected):

I move to approve the mural application for a temporary banner related to the World War II Greatest

File #: 23-0065 Agenda Date: 3/20/2023 Agenda #: 2.

Generation mural, located at 6320 South Mooney Boulevard, be approved with the image proposed by the applicant (see Attachment 2).

Environmental Assessment Status:

The mural is considered Categorically Exempt under Section 15311 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended, due to the project being a placement of minor structure accessory to existing facilities including but not limited to signs

CEQA Review:

The mural is considered Categorically Exempt under Section 15311 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended, due to the project being a placement of minor structure accessory to existing facilities including but not limited to signs

Attachments:

Attachment 1: Application. Attachment 2: Rendering.

Attachment 3: Press release.

Attachment 4: Details of the mural's condition and restoration.

Attachment 5: Elevation of wall. Attachment 6: Mural Guidelines



Application No Date Received	
IMPORTANT! PLEASE CAREFULLY READ THE MURAL GUIDELINE COMPLETING THIS APPLICATION.	S AND PROCEDURES BEFORE
You will be notified within thirty (30) days whether the application has been ac for a mural, it will be referred to the Visalia Mural Panel for consideration and ac application will vary but will be a maximum of 90 days from application submitta	ction. The time required to process a mur-
This MURAL APPLICATION must be filled out <u>completely</u> and with <u>full</u> answ application must be signed by the individual or group proposing the mural, the which the mural is to be installed.	
APPLICANT: Visalia Veterarys Mural Restoration F	Foundation INC.
Name of Applicant: ELmer Lucas To	elephone: <u>559-308-3029</u>
Address of Applicant: 1623 N Norman Drive Visalia CA. E-	Mail Address: LCON MCGS7066 69moil
Mural site is located at: 6320 S. Mooney Blvd., Visalia	, CA 93277
Present zoning of property: Office Commercial Present use of property: S	ites on property of ousiness comprex on mooney Boulevard.
ARTIST:	7
Name of Mural Artist: GLen Hill Te	elephone: 559 - 690 - 0752
Address of Applicant: 1265 Poplar Street, Gweet Home E-	Mail Address: glenhills tudio & gmail. com
PROPERTY OWNER:	
Name of Property Owner: GEOGE Family Trust Te	elephone: <u>559-651-1788</u>
Name of Property Owner: TED GE Family Trust Te Address of Property Owner: 315 E. Tulare AVE, Visalia, CA 93277 E.	-Mail Address: margi @ Slivepis . Con

Mural Application

With at Application
1) Mural Detail - Please explain the nature of the mural including its size and materials to be used: The WWIT Greatest Generation Mural was put up in 2006 OS a tribute to all the Veterans who served in wwith to include those living in Visalia. The mural consists of 36 4x8 panels that were painted by the artist Greathill. The mural was approved by the Visalia City Council in 2005 offer many meetings and charges by the artist to comply with the Council makeup of the mural. Offer 16 years factor to the west and bot and admitted the
Otter 16 years facing the west and hot sun and elements the round has suffed extreme damage to the art work and the hardware holding it on the wall. The hardware has disingraded and part of the mural tell off and is in storage to protect it.
we are asking to place a barrer on the wall while restoration of the mural is being done to inform the public of the work being done and when to be returned. It is also to preserve the property owners appearance of the wall until work completed. 2) What is the purpose, meaning and/or significance of the proposed mural and why is it important to share with the community?
The murat was originated the the Visalia Veterous Committee to romak and the world veterous who fought for our country and all the Veterous who lived in Visalia. The city Council made the mural a tribute to all the veterous who served but it was also a great tribute to the city of Visalia citizens and the County of Tulare.
3) What is the timetable to commence and complete the subject mural? The mural must be completed by November 28, 2023 Q2 ggreed by the landlord of the property. The start date is renruary 2623 by the grtists and as soon as the required funding is raised to start the work.
4) Please give a brief biography of the individual(s), group(s) or organization(s) that will install the mural along with the artistic credentials of the artist who prepared the mural design; The Visalia, Veteraus Committee a 501(c) 19 organization started the Project. Due to COND for 2 years and no way to fund raise for the mural the Committee needed to make a change in its charter and become a 501(c) 3 organization capable of caising turns from large corporations and give a tax writeroff to their serport. So the Committee is now the Visalia veteraus Moral Restoration Foundation. Including a chief a rest of a crist are a fire a highly skilled artists and the enclosures deserble his work.
Please explain who will be responsible for the murals maintenance: Per the City Council 2005 agreement and mural approval the Visalta Veterans Committee was responsible for all maintenance of the mural: 10

Page 3

Mural Application

Please submit one, reproducible rendering (sketch or photo) of an elevation drawing, prepared to a 1:12 scale [1 "=1 ft.0"], with dimensions, accurately depicting the mural to be painted.

Please refer to the Mural Guidelines and Procedures for additional information on the approval process and requirements for installing a mural in the City of Visalia.

Mural Proposal Submitted by: Signed: Emos Lucas Date: 2-20-23

STATE OF CALIFORNIA

COUNTY OF Tulare

CITY OF Visalia

WE, I, John F. Greerge Instee of George Family Insteements being duly sworn, depose and say that (we are) (I ain) the owner(s) of the property (site) involved in this application and that (we) (1) have been familiarized with the rules and regulations of the City of Visalia with respect to preparing and filing this application for a mural and that the foregoing statements and answers contained in this information on the attached materials thoroughly and completely to the best of (our) (my) ability present the arguments in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of (our) (my) knowledge and belief.

Name of Owner(s): John F. Grorge

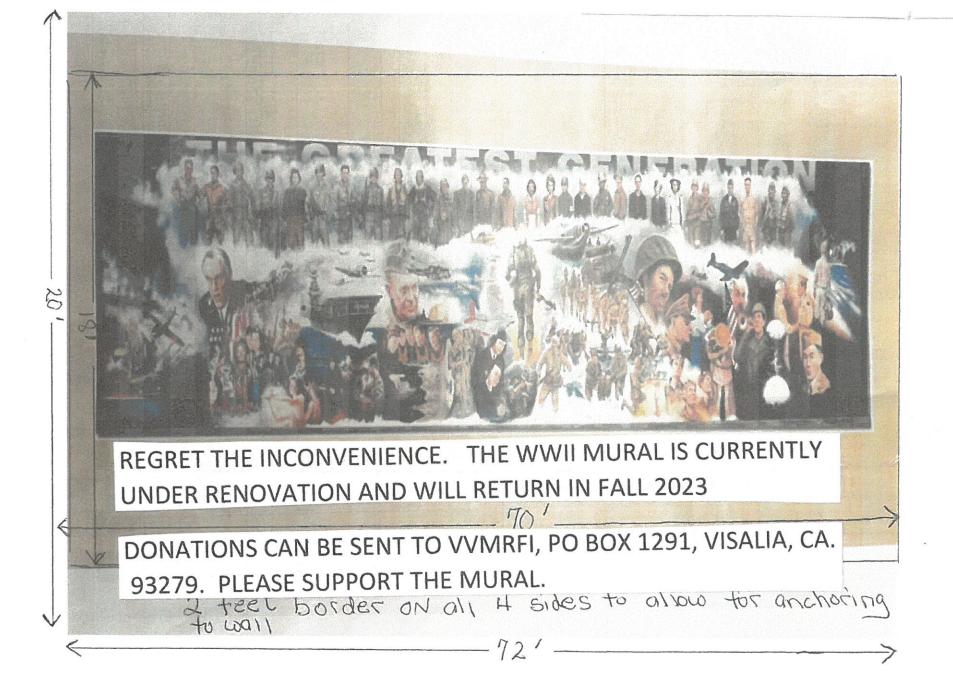
Date: 2-20-23

Return Application to:

Brandon Smith, Senior Planner Visalia Planning Division 315 E. Acequia Avenue, Visalia, CA 93291

Email: brandon.smith@visalia.city

Phone: (559) 713-4636



BANNER FOR WWII GREATEST GENERATION WALL

Banner Material: Vinyl
Banner Color – Tan or
contrasting color to mural pic
Size: 18 Ft x 70 Ft
Border – 2 feet all sides for
banner to be anchored to wall
Mural Picture – 8Ft High x 70 Ft
wide

Lettering – 2-3 Ft in Black

Tribute to the Veterans of the

"Greatest Generation 1941-1946"

Acrylic painting by Glen Hill of Visalia, California.

Press Release

Visalia Veterans Mural Committee has agreed with Veterans Magazine, Fresno, California, William E. Dietzel, Editor and Publisher to publish and feature the Greatest Generation Mural design as a 11"x 34" Full Color Center Fold in the November 11, 2004 issue of the Veterans Magazine.

The "Greatest Generation" Acrylic Painting was designed for a 20' x 72'wall in downtown Visalia. Mural Design and Painting by Glenn Hill, Visalia, California.

Support the Visalia Veterans Mural Committee with a donation of money, so this Committee can continue bringing the Veterans Day Event to the Fox Theater downtown Visalia, California. November 11, 2004 Veterans Day USO Show will feature top entertainment.

To order a copy of this beautiful "Greatest Generation" painting 11"x 34" High Gloss Full Color. Contact the Visalia Veterans Committee Chairperson, Dan Kelley at (559) 799-1675 or the Co-Chairperson, Bob McNabb at (559) 901-0734.

All donations will be used for the betterment of the Veterans of the United States.

Veterans Magazine William E Dietzel, Editor



My background is as an artist includes illustrator for film and TV guide, award winning animator, animation director, and producer. I attended Art Center College of Design from 1975 graduating in 1978. I discovered a passion for representational illustration and the great story tellers such as Rockwell, N. C. Wyeth, Pyle, Cornwell, Lovell, to name a few. After graduation I worked on "The Fox and the Hound" at Disney studios in Burbank which lead into a twenty-three year career making animated films and painting movie posters for film and TV Guide. Winning awards as a producer for ABCs "The Magic Flute", PBS's "The Book of Virtues" and as a director on Fox's "The Family Guy". In 2001 my daughter and I left the film industry sold our home in Santa Barbara and moved to Visalia to paint full time. This last October I opened a gallery at 220 W Main St. Visalia. In January, I finished a mural in Exeter at the Boys and Girls Club which shows a day in the park in the 1920's. I'm presently showing at the "Rocks" at 220 W. Main St. In Visalia and in my gallery at the same address. My currant work reflects the passion of twenty-five years ago and can be described as figurative and representational, depicting the family farm of the past and present, contemporary, landscapes, and portraits. In the recent past I've shown at The Gingerbread Mansion in Ferndale Ca, The Women's Club for the California Art Club, in Pasadena, The Red River Gallery in Calabases, and The Court House Gallery in Exeter.

Glen W. Hill (559) 738-9808

220 W Main St. Visalia CA • glenwhill@aol.com • www. glenwhill.com



Restoration and Repainting of WWII

Mural

05/10/2022

Glen Hill

1206 W. Harter Ave. Visalia, Ca. 93277

(559) 690-0752

email: glenhillstudio@gmail.com

Report on condition and proposal for art restoration of WWII mural located on Mooney Bld. near Mooney's Grove

Prepared for Veterans Mural Committee

It has been my great honor to create the artwork for the Veterans mural committee's vision for this memorial to "The Greatest Generation". When the mural was painted 15 years ago, a local sign company suggested a weather proofing urethane type coating would ensure longer life. The result, however, has been that this layer has peeled away in most all areas and stripped finish layers of paint off the mural. As the exposed layers of paint were subjected to humidity and heat this has resulted in an uneven, blotchy, faded/hazy appearance. The Die-bond panels which are in good condition, except for the apparent curling on several, due to not having been fastened properly to the supporting armature along the sides. The silicon putty that was used to cover the screws used to secure the panels has become visible as the paint has flaked off these areas.

About 10 years ago, the Veterans committee's attempt, to stabilize the flaking coating was done with Paraloid B72. This was applied unevenly, creating a dripping effect in some areas and overtime has flaked off with the first layer and has been ineffectual. While the use of, Paraloid B72 by professional art conservationist has been used for the last 60 years, it was not applied correctly nor in a situation where it could be effective and a protection layer. When it was applied to the damaged paint layers, it became part of the paint layers (so removal of what is left behind still on the mural, is not possible).

Due to the extensive damage done to the artwork over the past 15 years I am requesting the advice and services of a professional restoration company in order to;

- 1. Stabilize the flaking, peeling, cracking, and other damage to the painted surface. I believe stabilizing the painted surface is essential prior to any repainting. Once the mural's paint layers have been stabilized, then I will repaint the mural to as close to it's original appearance.
- 2. This is a quote from Scott Haskins of, Fine Art Conservation Laboratories, offering his advice on preserving the mural painting:

"Proposing protective measures to ensure greater longevity than has existed with past protective measures (varnish layers) — Once the artist has completed the pictorial restoration of the mural, then the entire mural will be coated with a protective coating vetted and approved by the Department of Cultural Affairs of Los Angeles (DCA) and CalTrans for outdoor public art murals. I have been part of this vetting process and work with them to apply these coatings to their City's public art assets. This is an aliphatic urethane 2 part counterpart to the once recommended but now illegal GCP-1000a and superior to the sporadically used Mural Shield product".

This final stage for the permanent protection of the mural and an agreement for the murals maintenance with a conservation company is strongly requested to avoid future mishandling of the artwork and insure it's preservation for future generations.

3. The 36 original Die bond panels delivered to or made available to; first the restoration professionals for stabilization and then to the artist. Arrangements can be made for transportation of panels later. (TBD)

Below are prices for me, the artist, to perform the artist	tic work.	
Sincerely,		
Glen Hill		
Restoration 1		
Description:		
Artist responsible for:		
Repainting to restore artwork to as close to its original	appearance	as possible.
Artist charges:		•
Materials, Brushes, paint, etc	*********	
\$5,000.00		
Production of art work	***********	
\$45,000.00		
(Restoration should be done over a period of 12 months).		
	Total	\$50,000.00





CITY OF VISALIA MURAL GUIDELINES AND PROCEDURES

INTRODUCTION:

Murals are considered signs and, as such, are governed by the City's sign ordinance found in Chapter 17.48 of the Visalia Municipal Code ("VMC"). Murals require the issuance of a permit from the City pursuant to VMC §17.48.030. Murals which are non-commercial, contain no advertising copy and which do not function as an advertisement are allowed, subject to review by the Mural Panel and final approval by the City Council (VMC §17.48.040(S).). These guidelines are provided to assist mural applicants through the process prior to presentation to City Council.

<u>PURPOSE</u>: To define the process used by groups or individuals ("applicants") who desire to install murals in Visalia public places. The City of Visalia understands the importance of art in public places and the role that murals play in preserving our culture, conveying the history of our community, beautifying the city and advancing the arts. These guidelines will provide direction to applicants wishing to install murals in public places.

DEFINITIONS:

"Parks Commission" means the Visalia Parks and Recreation Commission which is responsible for City of Visalia Parks.

"Planning Commission" means that Visalia Planning Commission responsible for approving variances in the sign ordinance.

"Public places" means places within the City limits of Visalia, which are visible to the public.

"Commercial" means words or images used elsewhere in the marketplace for the purpose of promoting a particular business, product, service, cause, place or brand.

"Commercial Element" means art that by virtue of its location or proximity to a business may serve a minimal commercial purpose. If that art were in a different location, it would be considered pure art and not commercial in nature.

"Mural" means a sign as defined in VMC Chapter 17.48. It is also generally described as a picture or representation, in any type of medium, on an exterior surface of a building, structure, fence or garden wall.

"Mural Panel" means a group of individuals approved by the City Manager to review applications to place murals in public places prior to presentation to Council. Mural Panel will be comprised of one (1) representative from the Arts Consortium, one (1) representative from Arts Visalia, and one (1) representative appointed by the Mayor. In all cases, the person appointed should have no involvement/conflict of interest with the mural under consideration. The representatives will be appointed by the Chair of these organizations and the Mayor upon the receipt of a Mural Application.

"Preliminary Approval" means the application has been accepted, found to be in good order and complete and the proposed mural is deemed appropriate by the mural panel.

GENERAL GUIDELINES:

- 1. The emphasis of the murals will be on "artistic expression" and must not include an advertisement or be commercial in nature. This will in no way limit or restrict the artist's right to include speech and/or artistic expression in a mural that is not commercial as defined above. All murals must comply with City ordinances that prohibit indecency or obscenity in public.
- 2. Murals shall not contain copy, lettering, symbols or references directly to the promotion of any product, business, brand, organization, service, cause or place. Murals may contain limited commercial elements so long as they are not considered commercial speech with the purpose of promoting a commercial transaction. For those mural applications that may contain limited commercial elements, the Mural Panel will ask the question "If the business on which the mural is located were to move, would the mural still be good quality art and something the community would want to remain?" If so, the mural is not considered commercial speech or advertisement but rather pure art.
- 3. Murals shall not be merely an extension or enlargement of a sign. If the theme of the mural is to promote a business, brand, organization, service, cause or place, it shall meet all requirements of the City of Visalia sign ordinance. If the proposed mural is determined to be commercial in nature and is therefore deemed by the Mural Panel to be a form of advertisement, the Mural Application will be referred to the City of Visalia Planning Department for a variance in the sign ordinance. That application will then follow their process for review and approval.
- 4. Not more than 1% of the mural will contain the name of a sponsor and/or sponsor product likeness. The artist's signature shall not be more than 1% of the mural.
- 5. Temporary Murals will receive, as is reasonably practicable, expedited review by the Mural Panel. Temporary murals shall be required to comply with the provisions of these guidelines, and will be removed no later than one year after completed. After one year, if there is a desire for the mural to remain in place, the owner will resubmit a mural application and follow the standard process as outlined herein.
- 6. Mural artists will be required to demonstrate their ability and experience to create high quality, well designed and well executed murals and/or art. The artist must provide the Mural Panel a portfolio of work that is reflective of the style of the proposed mural. This will be used to help determine whether the artist will be able to uphold the standards for quality art within the City of Visalia. For those artists without a portfolio of work, the Mural Panel will consider other presented forms of art that demonstrate an ability to create a quality mural.

7. New murals erected without receiving proper approval and that did not go through the Mural Application and Approval Process, will be required to retroactively go through the Process. Property owners will have 30 days after receiving notification to submit a mural application after which the mural will be deemed a sign and subject to all permitting requirements of VMC 17.48. The retroactive mural applications will be required to comply with all Mural Guidelines and must receive City Council approval. Murals that fail to be approved will be removed within 30 days after the denial at the property owners expense.

APPLICATION AND APPROVAL PROCESS:

- STEP 1: Muralist(s) must obtain an application from the Community Development Department office at 315 E. Acequia Ave. or online at www.visalia.city. The time required to process a mural application will vary but will be a maximum of 90 days from application submittal. The application will provide information to the City regarding location, size, concept and content of the mural, type of paint/media, owner of the building where the mural will be located, artist(s), dates of application, individuals who will be responsible for maintenance. The application must be signed by the individual/group proposing to place the mural, as well as the property owner where the mural will be placed and submitted to the City Manager or his/her designee along with a 1:12 scale [1"=1 ft.-0"] sketch, rendering or photo of the proposed mural.
- STEP 2: The application and mural rendering must be reviewed and approved by the Mural Panel and the owner of the property where the mural is proposed to be placed. The review will be conducted to assure compliance with local ordinances and regulations, these guidelines, and the ability of the artist(s) proposing the mural to produce a quality mural. If the mural receives preliminary approval, it will move forward in the process.

Any mural that is to be installed in or on a community center or park, except Convention Center, must, in addition to review by the Mural Panel, be reviewed by the Parks Commission prior to submission to the Visalia City Council for final approval.

- STEP 3: After receiving preliminary approval, the artist will then be required to provide for review their portfolio of work that is reflective of the proposed mural. The Mural Panel will use the portfolio of work to help determine whether the artist has the technical skill and ability to produce a quality mural within the City of Visalia. If the artist is unable to provide a portfolio of work, at a minimum, the artist will be required to provide evidence of artistic talent that satisfies the Mural Panel as to the skill and ability of the artist to create a mural that is of good quality.
- STEP 4: After review and acceptance of the artist's body of work, the Mural Panel will make a recommendation to the City Council for approval of the mural application which is the final approval step.

MURAL AGREEMENT:

Following approval by the Mural Panel, whether the mural will be placed on public or private property, the property owner and applicant(s) will be required to provide to the City Manager, or his/her designee, evidence of a proposed agreement which identifies the terms and conditions under which the mural will be applied. These terms and conditions include, but are not limited to:

- A. Specifications regarding the mural (location, size, concept and content of the mural, type of paint/media);
- B. Application for Encroachment Permit if necessary;
- C. Identification of ownership of the mural image and use thereof;
- D. Expected timeframe for completion;
- E. Long term mural maintenance;
- F. Circumstances under which the mural may be removed by the City and/or property owner (i.e. lack of maintenance or in disrepair):
- G. Proof of Liability Insurance;
- H. Landscape removal and replacement or protection, if any;

The proposed agreement will be provided to the Mural Panel and will be submitted to City Council along with the recommendation of the Mural Panel and, if necessary, the Park Commission.

APPEAL TO CITY COUNCIL:

In the event the Mural Panel and/or the Park Commission determines the proposed mural does not comply with the parameters of these guidelines or other City ordinances and regulations, and therefore determines to withhold its approval, applicant(s) may apply for a variance as authorized by VMC section 17.48.040(P) and outlined in VMC section 17.48.110.

FINAL INSPECTION AND ACCEPTANCE:

The City reserves the right to inspect the mural during installation and upon completion to ensure that the final product is in compliance with the approved mural application. Should it be found that the mural is not in compliance, the artist and property owner will be notified and given 30 days to remedy the situation. Should the property owner and/or artist fail to make the necessary corrections, the mural will be deemed out of compliance and will be removed at the expense of the property owner and/or artist.

Revised 3-05-14



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0094 Agenda Date: 3/20/2023 Agenda #: 3.

Agenda Item Wording:

Accept the City of Visalia Cash and Investment Report for the second quarter of the fiscal year which consists of months October, November, and December 2022.

Deadline for Action: 3/20/2023

Submitting Department: Finance and Technology Services

Contact Name and Phone Number: Jason Montgomery, 4425

Department Recommendation:

Staff recommends that Council accept the City of Visalia Cash and Investment Report for the second quarter of the fiscal year which consists of months October, November, and December 2022.

Background Discussion:

The City accumulates significant cash assets before they are spent on a variety of governmental operations. For example, several large capital projects have accumulated substantial cash as they approach the start of the projects in the near future, or in some cases, have already begun. Some of these projects are the downtown street light project, cape seal of various streets and the major rehab of Caldwell Avenue from Akers to Shady and Santa Fe to Lovers Lane. Some examples of large projects that cash has been accumulated for that have not started are the Civic Center Phase 2 project, and any potential mandated upgrades to the Water Reclamation Facility.

The quarterly investment report is intended to inform the City Council and community about the status of City investments, and holds staff accountable for the investment and management of these funds.

City Investment Policy

The City's investments are diversified by the various maturities and credit types which are allowed under the City's Investment Policy and California Government Code Section 53600 et seq. It is the policy of the City to invest public funds in a manner which will provide the greatest security with the maximum investment return while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds.

The City continues to be conservative and prudent with the investment objectives, which in order of priority is <u>safety</u>, <u>liquidity</u>, and <u>yield</u>, while maintaining compliance with federal, state, and local laws and regulations. These investments will enable the City to meet expenditure requirements for the next six months, as required by state law.

Economic Outlook

At December 31, 2022, the national unemployment rate was at 3.5%. The Consumer Price Index was at 6.50%, a decrease from the September 2022 rate of 8.20%. More currently, at its February 1, 2023 meeting, the Federal Open Market Committee (FOMC) raised the Federal Funds Rate (the rate at which institutions borrow and lend overnight funds to each other) by 25 basis points to the current range of 4.50% to 4.75%, its highest level in 15 years, indicating

File #: 23-0094 Agenda Date: 3/20/2023 Agenda #: 3.

that they are continuing to try and lower inflation.

Movements of the Federal Funds Rate are closely linked to Treasury Security rates; as the Federal Funds Rate increases, typically so do Treasury Security rates. Treasury Securities are investments that the City can purchase and are key benchmarks for other financial assets that the City can purchase (i.e.: Federal Agency's). Table I shows the rate comparison of the Federal Funds Rate and short term Treasury Securities between the first and second quarter of the fiscal year as well as the current rates. Rates have continued to increase across shorter-term maturities, however, have remained lower in the longer maturity ranges as fears of a recession mount. The City has continued to remain laddered across all maturities.

Table I

	September 2022 (1st Quarter-FY22/23	December 2022 (2cnd Quarter-FY22/2	March 8, 2023 (Current)
	_		
Federal Funds Rate	3.00% - 3.25%	4.25% - 4.50%	4.50% - 4.75%
6 month Treasury	3.90%	4.75%	5.26%
1 year Treasury	3.93%	4.69%	5.22%
2 year Treasury	4.28%	4.43%	5.06%
3 year Treasury	4.29%	4.22%	4.73%
4 year Treasury	4.19%	4.11%	4.53%
5 year Treasury	4.09%	4.00%	4.33%

Portfolio Performance

The December 31, 2022 investment portfolio managed balance was \$480,990,753.

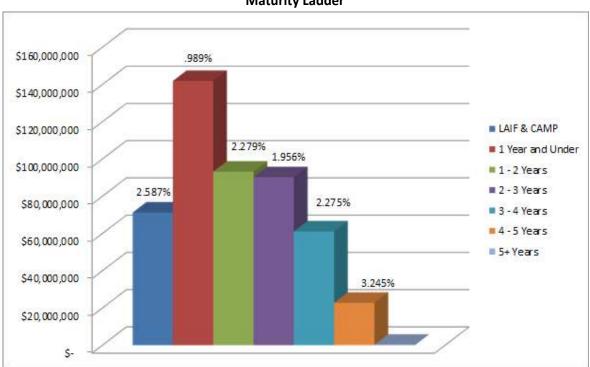
The earnings rate as of December 31, 2022 was **1.93%.** Key benchmarks and performance statistics for the City's portfolio are shown in <u>Table II</u>, <u>Managed Portfolio Performance Statistics</u>.

Table II: Managed Portfolio Performance Statistics (dollars in millions)

		City Monthly	LAIF & CAM		2 YR	Weighted Averag
Quarter Ending	Portfolio Balano	e Portfolio Rate	Balance	LAIF Rate	Treasury	Maturity (WAM)
September 2022	\$461.1	1.53%	\$67.9	1.29%	4.28%	603 Days
December 2022	\$481.0	1.93%	\$71.3	1.98%	4.43%	582 Days
Fiscal Year Average						
2022/2023	\$465.3	1.62%		1.53%		

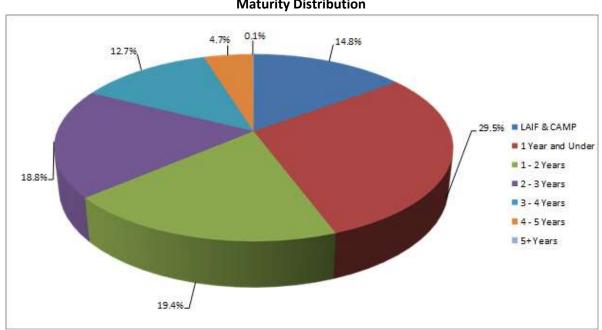
The following Charts I and II show the portfolio ladder and distribution as of December 31, 2022. The portfolio ladder (Chart I - Maturity Ladder) shows our investments based on when they are to mature (ie. 1 year and under, 1-2 years, 2-3 years, etc...). The City invests in different maturity dates to take advantage of different earnings rates (usually the longer the maturity, the higher the earning rate) as well as to spread out maturities so that the proceeds are reinvested at regular intervals. In addition, the City will keep funds needed for operating costs in short term maturities, while investing funds in longer term maturities for those funds that are not yet needed (future projects). Chart II - Maturity Distribution shows what percent each maturity level is of the total investment portfolio.





Note: Percent above each bar represents the average interest earnings rate for that maturity level

Chart II
Maturity Distribution



<u>Table III: 2cnd Quarter Investment Activity</u>, shows investment activity for the quarter (October 2022 - December 2022).

Table III: 2cnd Quarter Investment Activity

24

Maturities Manual Composition Maturity Date Date CA ST Muni 2.78% 2.50% 2,000,000 10/01/2022 02/06/20 CA ST Muni 0.95% 2.50% 2,250,000 10/01/2022 04/30/20 Federal National Mortgage Assn. Agency 2.03% 2.00% 2,000,000 10/05/2022 11/06/20 Toyota Motor Credit Corp. Corporate0.18% 0.35% 3,000,000 10/14/2022 12/21/20 Federal Farm Credit Agency 0.16% 0.16% 3,000,000 10/13/2022 12/02/20 Federal Farm Credit Agency 2.34% 2.33% 2,000,000 10/18/2022 04/24/20 CA ST Muni 0.25% 3.00% 3,000,000 11/01/2022 11/03/20 Federal Home Loan Bank Agency 2.21% 2.50% 2,000,000 12/09/2022 12/15/20						PURCHAS
CA ST		TYPE YIELD	COUPON	AMOUNT	MATURITY DATE	
CA ST	Maturities					
Federal National Mortgage Assn. Agency 2.03% 2.00% 2,000,000 10/05/2022 11/06/20 Toyota Motor Credit Corp. Corporate0.18% 0.35% 3,000,000 10/14/2022 12/2/21/20 12/2/21/20 Federal Farm Credit Agency 0.16% 0.16% 3,000,000 10/13/2022 12/02/20 Gederal Farm Credit Agency 2.34% 2.33% 2,000,000 10/18/2022 04/24/20 CA ST Muni 0.25% 3.00% 3,000,000 11/01/2022 11/03/20 Gederal Home Loan Bank Agency 2.21% 2.50% 2,000,000 12/09/2022 12/15/20 Federal Home Loan Bank Agency 2.64% 3.00% 2,000,000 12/09/2022 12/15/20 Gederal Home Loan Bank Agency 2.64% 3.00% 3,000,000 12/09/2022 12/15/20 Gederal Home Loan Bank Agency 2.64% 3.00% 2,000,000 12/09/2022 10/25/20 Gederal Home Loan Bank Agency 4.83% 2.405,000 04/01/2025 10/25/20 Gederal Home Loan Bank Agency 4.83% 4.50% 2,000,000 10/03/2024 11/04/20 Federal Home Loan Bank Agency 4.83% 4.50% 2,000,000 12/13/2024 11/04/20 Federal Farm Credit Agency 4.68% 4.50% 2,000,000 10/01/2025 11/04/20 CA ST Muni 4.72% 5.50% 3,000,000 10/01/2025 11/04/20 CA ST Muni 4.74% 5.50% 3,000,000 10/01/2025 11/04/20 Federal Home Loan Bank Agency 4.22% 4.50% 2,000,000 10/01/2025 11/04/20 Federal Farm Credit Agency 4.22% 4.50% 2,000,000 12/12/2025 12/28/20 Federal Farm Credit Agency 4.00% 3.75% 2,000,000 12/12/2025 12/28/20 Federal Farm Credit Agency 4.00% 3.75% 2,000,000 12/12/2025 12/28/20 Federal Farm Credit Agency 4.00% 3.75% 2,000,000 12/12/2027 12/28/20 Federal Home Loan Bank Agency 4.00% 3.75% 2,000,000 12/10/2027 12/28/20 Federal Home Loan Bank Agency 4.00% 3.75% 2,000,000 09/20/2027 12/28/20 Federal Home Loan Bank Agency 4.79% 4.75% 3,000,000 06/14/2024 12/29/20 Federal Home Loan Bank Agency 4.79% 4.75% 3,000,000 06/14/2024 12/29/20 Federal Home Loan Bank Agency 4.79% 4.75% 3,000,000 06/14/2024 12/29/20 Federal Home Loan Bank Agency 4.72% 4.88% 3,000,000 06/14/2024 12/29/20 Federal Home Loan	CA ST	Muni 2.78%	2.50%	2,000,000	10/01/2022	02/06/2018
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Federal Farm Credit		Corporate0.18%	0.35%	3,000,000	10/14/2022	12/21/2020
CA ST	Federal Farm Credit	Agency 0.16%	0.16%	3,000,000	10/13/2022	12/02/2020
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Federal Home Loan Bank Agency 4.03% 4.25% 2,000,000 12/10/2027 12/29/203 Toyota Motor Credit Corp. Corporate4.70% 4.55% 2,000,000 09/20/2027 12/29/203 Federal Home Loan Bank Agency 4.79% 4.75% 3,000,000 03/08/2024 12/29/203 12/29/203 Federal Home Loan Bank Agency 4.72% 4.88% 3,000,000 06/14/2024 12/29/203 12/29/203						
Toyota Motor Credit Corp. Corporate4.70% 4.55% 2,000,000 09/20/2027 12/29/203 Federal Home Loan Bank Agency 4.79% 4.75% 3,000,000 03/08/2024 12/29/203 Federal Home Loan Bank Agency 4.72% 4.88% 3,000,000 06/14/2024 12/29/203		0 ,		, ,		
Federal Home Loan Bank Agency 4.79% 4.75% 3,000,000 03/08/2024 12/29/203 Federal Home Loan Bank Agency 4.72% 4.88% 3,000,000 06/14/2024 12/29/203				, ,		
Federal Home Loan Bank Agency 4.72% 4.88% 3,000,000 06/14/2024 12/29/202				, ,		
		. ,	•	- , ,		,
36,405,000	Todoral Florite Loan Bank	Agency 4.7270	7.0070	5,000,000	JUI 14/2024	1212312022
				36,405,000		

Fiscal Impact:

n/a

Prior Council Action: City of Visalia Cash and Investment Reports are reviewed and accepted quarterly.

Other: n/a

Alternatives: n/a

Recommended Motion (and Alternative Motions if expected):

Move to accept the City of Visalia Cash and Investment Report for the second quarter of the fiscal year which consist of months October, November, and December 2022.

Environmental Assessment Status: n/a

CEQA Review: n/a

Attachments: Attachment #1, City of Visalia Cash and Investment Summary

Attachment #2, City of Visalia

Investment Report by Maturity Date

Attachment #1

City of Visalia Cash and Investment Summary Quarter Ended December 31, 2022

Security Investments		Par Value		Book Value	N	Market Value	% of Portfolio	Yield
Medium-Term Corporate Bonds	\$	88,275,000	\$	85,504,379	\$	84,266,661	17.52%	
Agency's		174,611,000		169,465,276		167,736,270	34.87%	
U.S. Treasury's		66,000,000		63,601,805		62,906,540	13.08%	
Municipal Bonds		100,345,000		95,946,366		94,501,606	19.65%	
Total Security Investments	\$	429,231,000	\$	414,517,826	\$	409,411,077	85.12%	
Other Investments	_							
Local Agency Investment Fund (LAIF)	\$	23,074,434	\$	23,074,434	\$	23,074,434	4.80%	
Local Agency Investment Fund (LAIF) - COVID		29,531,161		29,531,161		29,531,161	6.14%	
California Asset Management Program (CAMP)		18,660,619		18,660,619		18,660,619	3.88%	
Local Bonds		313,462		313,462		313,462	0.07%	
Total Other Investments	\$	71,579,676	\$	71,579,676	\$	71,579,676	14.88%	-
Total Investments	-\$	500,810,676	\$	486,097,502	\$	480,990,753	100.0%	1.93%
Cash with Fiscal Agents US Bank 2014 COP (Convention Center Refinance	ina)		•		\$	2		
US Bank 2015 COP (VECC Loan)	nig)				φ	10,681		
US Bank 2003 East Visalia RDA						293,479		
US Bank - Custodial Account						3,706		
Delta Dental (Dental Prefunding)						60,700		
Keenan & Associates (Workers Comp Prefunding	()					316,554		
Total Cash with Fiscal Agents					\$	685,122		
Cash in Banks and Other Cash								
Citizens Business Bank (Sweep and Operating)-es	tima	te	-		\$	4,966,114		
Petty Cash - Various City Offices						10,950		
Total Cash in Banks and Other Cash					\$	4,977,064		
Tale 1 W						497 752 922		
Total Cash and Investments					\$	486,652,939		

Attachment #2 City of Visalia Investment Report By Maturity Date

12/31	/2022

			12/31/	2022					0/ 0		00D04 11	
Investments	Type	Par Value	Book V	Value	Market Va	alue	Coupon	Yield	% of Portfolio	Maturity	S&P/Moody's Credit Rating	Days to Maturity
U.S. Bank NA	Corporate			84,550.00		,710.00	1.95%	1.42%	0.62%	01/09/23	AA-	9
Bank of America		\$ 3,000,000.00	\$ 3,00	04,800.00	\$ 2,998,	,980.00	3.30%	2.00%	0.62%	01/11/23	A-	11
U.S. Treasury	Treasury	\$ 2,000,000.00	\$ 1,98	87,500.00	\$ 1,998,	,540.00	1.50%	0.09%	0.42%	01/15/23	Aaa	15
Federal Farm Credit	Agency	\$ 2,000,000.00	\$ 1,97	70,840.00	\$ 1,992,	,600.00	0.13%	1.65%	0.41%	02/03/23	AA+	34
U.S. Treasury	Treasury	\$ 2,000,000.00	\$ 1,99	92,340.00	\$ 1,994,	,580.00	2.00%	0.11%	0.41%	02/15/23	Aaa	46
U.S. Treasury	Treasury	\$ 2,000,000.00	\$ 1,96	56,020.00	\$ 1,986,	,660.00	0.13%	0.15%	0.41%	02/28/23	Aaa	59
Caterpillar Financial Service	Corporate	\$ 2,575,000.00	\$ 2,56	61,610.00	\$ 2,566,	,064.75	2.63%	0.55%	0.53%	03/01/23	A	60
Federal Home Loan Bank	Agency	\$ 2,000,000.00		97,300.00		,020.00	2.50%	2.71%	0.41%	03/10/23	AA+	69
U.S. Treasury	Treasury	\$ 2,000,000.00		58,900.00		,760.00	0.50%	0.11%	0.41%	03/15/23	Aaa	74
Federal Farm Credit	Agency	\$ 2,000,000.00	-	98,620.00		,200.00	2.70%	2.72%	0.41%	04/11/23	AA+	101
WalMart Inc.		\$ 1,000,000.00		99,970.00		,760.00	2.55%	0.52%	0.21%	04/11/23	AA	101
U.S. Treasury	Treasury	\$ 2,000,000.00		59,760.00	, , , , , , ,	,720.00	0.25%	0.12%	0.41%	04/15/23	Aaa	105
Federal Home Loan Mortgage Corporation	Agency	\$ 5,000,000.00		00,650.00		,350.00	0.38%	2.07%	1.03%	04/20/23	AA+	110
Bank of New York Mellon Corp.	Corporate	\$ 1,000,000.00		04,220.00		,670.00	3.50%	0.55%	0.21%	04/28/23	A	118
U.S. Treasury	Treasury	\$ 2,000,000.00		55,000.00		,500.00	0.13%	0.20%	0.41%	04/30/23	Aaa	120
U.S. Treasury	Treasury	\$ 2,000,000.00		79,760.00		,400.00	1.63%	0.16%	0.41%	04/30/23	Aaa	120
Federal Farm Credit	Agency	\$ 2,000,000.00 \$ 2,000,000.00	. , , , , ,	04,960.00 57,460.00	+ -,-,-,	,400.00	3.00% 0.38%	2.73%	0.41%	05/02/23 05/05/23	AA+ AA+	122 125
Federal Home Loan Mortgage Corporation	Agency	\$ 2,000,000.00	-	36,190.00	, , , ,	,		1.17%	0.41%	05/05/23		125
Federal Home Loan Mortgage Corporation U.S. Treasury	Agency Treasury	\$ 2,000,000.00		80,460.00		,510.00 ,060.00	0.38%	0.14%	0.62%	05/05/23	AA+ Aaa	135
University of California Revenue	Muni	\$ 4,360,000.00		56,144.80	, , , , , , ,	,908.00	0.37%	1.70%	0.41%	05/15/23	Aaa AA-	135
Federal National Mortgage Association	Agency	\$ 2,200,000.00		49,906.00	, , , , , , , ,	,304.00	0.25%	0.68%	0.45%	05/22/23	AA+	142
Federal Farm Credit	Agency	\$ 2,000,000.00	-	57,600.00	, , , , , , , ,	.540.00	0.38%	1.25%	0.41%	05/23/23	AA+	143
Federal Farm Credit	Agency	\$ 3,000,000.00		36,400.00	, , , , , , , , , ,	,810.00	0.38%	1.20%	0.61%	05/23/23	AA+	143
U.S. Treasury	Treasury	\$ 2,000,000.00		50,460.00	, , , ,	,300.00	0.13%	0.21%	0.41%	05/31/23	Aaa	151
U.S. Treasury	Treasury	\$ 2,000,000.00		77,180.00		,480.00	1.63%	0.18%	0.41%	05/31/23	Aaa	151
Federal Home Loan Bank	Agency	\$ 2,000,000.00		48,880.00		,140.00	0.13%	0.16%	0.41%	06/02/23	AA+	153
Federal Farm Credit	Agency	\$ 3,000,000.00	\$ 2,93	30,640.00	\$ 2,946,	,630.00	0.35%	0.54%	0.61%	06/08/23	AA+	159
U.S. Treasury	Treasury	\$ 2,000,000.00	\$ 1,94	49,140.00	\$ 1,961,	,260.00	0.25%	0.15%	0.41%	06/15/23	Aaa	166
Federal Home Loan Mortgage Corporation	Agency	\$ 2,000,000.00	\$ 1,99	95,300.00	\$ 1,983,	,120.00	2.75%	0.16%	0.41%	06/19/23	AA+	170
Federal Home Loan Mortgage Corporation	Agency	\$ 3,000,000.00	\$ 2,99	92,950.00	\$ 2,974,	,680.00	2.75%	0.52%	0.62%	06/19/23	AA+	170
Federal Home Loan Mortgage Corporation	Agency	\$ 2,965,000.00	\$ 2,88	85,775.20	\$ 2,903,	,802.40	0.25%	0.19%	0.60%	06/26/23	AA+	177
U.S. Bank NA	Corporate	\$ 2,000,000.00	\$ 1,99	98,320.00	\$ 1,981,	,740.00	3.40%	1.05%	0.41%	07/24/23	AA-	205
U.S. Treasury	Treasury	\$ 2,000,000.00	\$ 1,94	40,000.00	\$ 1,947,	,340.00	0.13%	0.24%	0.40%	07/31/23	Aaa	212
CA State	Muni	\$ 2,940,000.00	\$ 2,95	50,907.40	\$ 2,926,	,623.00	3.40%	3.05%	0.61%	08/01/23	AA-	213
San Diego Community College District	Muni	\$ 3,375,000.00		40,372.50		,560.00	2.00%	0.43%	0.69%	08/01/23	AAA	213
Bank of New York Mellon Corp.	Corporate	\$ 1,000,000.00		02,530.00		,100.00	3.45%	1.87%	0.21%	08/11/23	A	223
Federal Home Loan Bank	Agency	\$ 2,000,000.00	-	99,800.00		,240.00	3.25%	3.26%	0.41%	08/15/23	AA+	227
Federal Home Loan Mortgage Corporation	Agency	\$ 2,000,000.00		39,420.00		,760.00	0.25%	0.20%	0.40%	08/24/23	AA+	236
Federal Home Loan Bank	Agency	\$ 3,000,000.00		09,760.00		,790.00	0.13%	0.22%	0.60%	08/28/23	AA+	240
Federal Home Loan Bank	Agency	\$ 3,000,000.00		00,820.00		,450.00	0.13%	0.22%	0.60%	09/08/23	AA+	251
Federal Home Loan Bank	Agency	\$ 2,000,000.00		87,720.00		,840.00	2.38%	1.58%	0.41%	09/08/23	AA+	251
Federal National Mortgage Association	Agency	\$ 2,000,000.00 \$ 2,500,000.00		99,820.00		,300.00	2.88% 0.22%	2.36% 0.25%	0.41%	09/12/23	AA+	255
Federal Farm Credit U.S. Treasury	Agency Treasury	\$ 2,500,000.00		19,650.00 34,060.00	, , , ,	,175.00 ,520.00	0.25%	0.25%	0.50%	09/22/23	AA+	265
CA State	Muni	\$ 2,000,000.00		80,220.00		,560.00	2.25%	3.15%	0.40%	10/01/23	Aaa AA-	273 274
CA State	Muni	\$ 2,500,000.00		-			2.25%	1.00%	0.41%	10/01/23	AA-	274
Federal Farm Credit	Agency	\$ 3,000,000.00		99,020.00		,340.00	0.29%	0.64%	0.60%	10/12/23	AA+	285
Federal Home Loan Mortgage Corporation	Agency	\$ 3,000,000.00		93,710.00	, , , , , ,	,470.00	0.13%	0.46%	0.60%	10/16/23	AA+	289
CA State	Muni	\$ 1,500,000.00		98,260.00		,070.00	3.00%	0.35%	0.31%	11/01/23	AA-	305
Federal Home Loan Mortgage Corporation	Agency	\$ 3,000,000.00		93,950.00		,150.00	0.25%	1.39%	0.60%	11/06/23	AA+	310
Bristol-Myers Squibb Co.	Corporate	\$ 3,000,000.00		95,240.00	, ,,	,200.00	0.54%	0.19%	0.60%	11/13/23	A+	317
U.S. Treasury	Treasury	\$ 2,000,000.00		27,340.00		,120.00	0.25%	0.65%	0.40%	11/15/23	Aaa	319
Federal Farm Credit	Agency	\$ 3,000,000.00		04,210.00		,180.00	0.55%	0.75%	0.60%	11/24/23	AA+	328
Federal National Mortgage Association	Agency	\$ 2,200,000.00		19,810.00		,298.00	0.25%	0.90%	0.44%	11/27/23	AA+	331
U.S. Treasury	Treasury	\$ 2,000,000.00		32,040.00		,220.00	0.50%	0.66%	0.40%	11/30/23	Aaa	334
Sacramento County Sanatation District	Muni	\$ 1,500,000.00		52,855.00	\$ 1,452,	,285.00	0.76%	2.75%	0.30%	12/01/23	AA	335
Federal Home Loan Mortgage Corporation	Agency	\$ 2,000,000.00	\$ 1,92	24,380.00	\$ 1,917,	,080.00	0.25%	0.21%	0.40%	12/04/23	AA+	338
Federal Home Loan Bank	Agency	\$ 2,000,000.00		10,500.00		,220.00	3.38%	2.68%	0.41%	12/08/23	AA+	342
U.S. Treasury	Treasury	\$ 2,000,000.00	\$ 1,91	19,060.00	\$ 1,915,	,860.00	0.13%	0.67%	0.40%	12/15/23	Aaa	349
Federal Home Loan Bank	Agency	\$ 3,000,000.00	\$ 2,89	98,930.00	\$ 2,878,	,680.00	0.63%	0.75%	0.60%	12/22/23	AA+	356
U.S. Treasury	Treasury	\$ 2,000,000.00	\$ 1,99	90,000.00	\$ 1,958,	,920.00	2.63%	0.68%	0.41%	12/31/23	Aaa	365
City of Oakland	Muni	\$ 3,435,000.00		42,735.90		,015.15	1.58%	1.56%	0.69%	01/15/24	AA	380
D I CA :	Corporate	\$ 3,000,000.00	\$ 3.03	32,010.00	\$ 2.974.	,170.00	4.13%	0.44%	0.62%	01/22/24	A-	387
Bank of America	Corporate	\$ 3,000,000.00	φ 5,00	52,010.00	\$ 2,974,	,170.00	4.13/0	0.11/0	0.0270	01/22/21	7.1	

City of Visalia Investment Report By Maturity Date 12/31/2022 (cont.)

Federal National Mortgage Association	Agency	\$	2,000,000.00	\$	1,985,820.00	\$	1,952,000.00	2.50%	1.76%	0.41%	02/05/24	AA+	401
Federal Farm Credit	Agency	\$	2,000,000.00	\$	1,916,560.00	-	1,901,080.00	0.25%	0.29%	0.40%	02/26/24	AA+	422
Federal Home Loan Bank	Agency	\$	2,000,000.00	\$	1,963,120.00	-		1.88%		0.40%	03/08/24	AA+	433
Federal Home Loan Bank	Agency	\$	3,000,000.00	\$	2,998,626.00	_	2,994,540.00	4.75%		0.62%	03/08/24	AA+	433
Federal Farm Credit	Agency	\$	2,000,000.00	\$	1,915,780.00	-	1,894,940.00	0.30%		0.39%	03/18/24	AA+	443
CA ST	Muni	\$	2,000,000.00	\$	1,988,780.00	-	1,964,700.00	3.00%		0.41%	04/01/24	AA-	457
CA ST	Muni	\$	3,000,000.00	\$	2,955,930.00	_		3.00%	+	0.61%	04/01/24	AA-	457
CA ST	Muni	\$	3,000,000.00	\$	2,938,140.00	_	2,947,050.00	3.00%	+	0.61%	04/01/24	AA-	457
Citigroup	Corporate	\$	5,000,000.00	\$	4,964,150.00	_	4,869,000.00	3.35%		1.01%	04/29/24	A	485
Bank of America	Corporate	\$	3,000,000.00	\$	2,872,890.00	-	2,914,350.00	3.10%	+	0.61%	04/29/24	A-	485
Federal Home Loan Bank	Agency	\$	2,000,000.00	\$	1,992,820.00	-		2.88%		0.41%	06/14/24	AA+	531
Federal Home Loan Bank	Agency	\$	3,000,000.00	\$	3,006,096.00	-	3,003,630.00	4.88%		0.62%	06/14/24	AA+	531
Toyota Motor Credit	Corporate	\$	3,000,000.00	\$	2,820,240.00	_	2,804,400.00	0.50%	0.59%	0.58%	06/14/24	A+	531
Federal Home Loan Mortgage Corporation	Agency	\$	3,750,000.00	\$	3,556,800.00	-	3,502,650.00	0.38%	0.38%	0.73%	06/28/24	AA+	545
Federal National Mortgage Association	Agency	\$	2,000,000.00	\$	1,954,820.00	-	1,914,500.00	1.75%	1.68%	0.40%	07/02/24	AA+	549
American Honda Finance Corp.	Corporate	\$	2,500,000.00	\$	2,347,975.00	-	2,334,225.00	0.55%		0.40%	07/12/24	A-	559
Santa Clara County	Muni	\$	6,535,000.00	\$	6,381,819.60	_	6,282,683.65	2.00%	2.73%	1.31%	08/01/24	A- AAA	579
,	1	\$	2,000,000.00	\$		_	, ,		+	0.39%			593
Federal Home Loan Bank	Agency			_	1,936,960.00	-	1,898,900.00	1.50%	1.45%		08/15/24	AA+	
City of Berkeley	Muni	\$	2,000,000,00	\$	802,672.00	_	,	3.50%	+	0.16%	09/01/24	AA+	610
Federal Home Loan Bank	Agency	\$,,	\$	1,991,720.00	_		2.88%	1.64%	0.40%	09/13/24	AA+	622
Toyota Motor Credit	Corporate	\$	3,000,000.00	\$	2,818,500.00	_	2,791,770.00	0.63%		0.58%	09/13/24	A+	622
Federal Home Loan Bank	Agency	\$	2,000,000.00	\$	1,981,106.31	\$	1,964,420.00	3.50%	+	0.41%	09/13/24	AA+	622
CA ST	Muni	\$	3,000,000.00	\$	3,041,280.00	-	3,046,830.00	5.50%	4.72%	0.63%	10/01/24	AA-	640
Federal Home Loan Bank	Agency	\$	2,000,000.00	\$	1,988,180.00	-		4.50%	_	0.42%	10/03/24	AA+	642
Federal National Mortgage Association	Agency	\$	3,000,000.00	\$	2,907,120.00	_	2,849,970.00	1.63%	0.75%	0.59%	10/15/24	AA+	654
Bank of New York Mellon Corp.	Corporate	\$	3,000,000.00	\$	2,902,950.00	_	2,860,050.00	2.10%		0.59%	10/24/24	A	663
Bank of New York Mellon Corp.	Corporate	\$	3,000,000.00	\$	2,902,950.00	_	2,860,050.00	2.10%		0.59%	10/24/24	A	663
U.S. Treasury	Treasury	\$	2,000,000.00	\$	1,856,687.50	-	1,866,720.00	0.75%		0.39%	11/15/24	Aaa	685
CA State Department Water	Muni	\$	5,000,000.00	\$	4,667,800.00	_	4,621,900.00	0.51%		0.96%	12/01/24	AAA	701
Federal Home Loan Bank	Agency	\$	2,000,000.00	\$	1,985,800.00	-	1,935,940.00	2.75%	+	0.40%	12/13/24	AA+	713
Federal Home Loan Bank	Agency	\$	2,000,000.00	\$	1,991,660.00	_	2,000,680.00	4.63%	+	0.42%	12/13/24	AA+	713
State Street Corp.	Corporate	\$	3,000,000.00	\$	2,978,940.00	_	2,927,820.00	3.30%		0.61%	12/16/24	A	716
Federal National Mortgage Association	Agency	\$	2,000,000.00	\$	1,931,180.00	_		1.63%	+	0.39%	01/07/25	AA+	738
U.S. Treasury	Treasury	\$	2,000,000.00	\$	1,918,200.00	_	1,879,680.00	1.38%	0.52%	0.39%	01/31/25	Aaa	762
Federal Home Loan Mortgage Corporation	Agency	\$	3,000,000.00	\$	2,883,750.00	_	2,826,840.00	1.50%	0.74%	0.59%	02/12/25	AA+	774
Toyota Motor Credit	Corporate	\$	5,000,000.00	\$	4,766,850.00	_	4,698,400.00	1.80%		0.98%	02/13/25	A+	775
U.S. Treasury	Treasury	\$	2,000,000.00	\$	1,948,680.00	_		2.00%		0.40%	02/15/25	Aaa	777
U.S. Treasury	Treasury	\$	5,000,000.00	\$	4,949,050.00	_	4,817,200.00	2.63%	_	1.00%	03/31/25	Aaa	821
Bay Area Toll Authority	Muni	\$	3,000,000.00	\$	2,837,910.00	-	2,861,190.00	2.33%		0.59%	04/01/25	AA	822
Federal National Mortgage Association	Agency	\$	2,000,000.00	\$	1,870,200.00	-	1,837,480.00	0.63%		0.38%	04/22/25	AA+	843
Federal National Mortgage Association	Agency	\$	2,000,000.00	\$	1,870,680.00	_	1,837,480.00	0.63%		0.38%	04/22/25	AA+	843
Federal Farm Credit	Agency	\$	5,000,000.00	\$	4,955,300.00	_	4,804,950.00	2.75%		1.00%	04/25/25	AA+	846
Citigroup	Corporate	\$	5,000,000.00	\$	4,911,650.00	-	4,783,700.00	4.00%		0.99%	05/13/25	A	864
Federal Home Loan Bank	Agency	\$	2,000,000.00	\$	1,862,940.00	_	1,828,360.00	0.63%		0.38%	06/13/25	AA+	895
Federal National Mortgage Association	Agency	\$	2,000,000.00	\$	1,855,220.00		1,819,820.00	0.50%		0.38%	06/17/25	AA+	899
Citigroup	Corporate		3,000,000.00		2,996,910.00		2,893,860.00	4.75%		0.60%	06/30/25	A	912
Los Angeles School District	Muni	\$	3,345,000.00	_	3,122,958.90	_			1.09%	0.64%	07/01/25	Aa3	913
JP Morgan Chase Co.	Corporate		1,450,000.00	_	1,452,291.00	_	1,417,549.00	3.90%	_	0.29%	07/15/25	A-	927
Federal Home Loan Mortgage Corporation	Agency	\$	2,996,000.00		2,763,660.20	_		0.38%		0.56%	07/21/25	AA+	933
Los Angeles Commty College	Muni	\$	5,000,000.00		4,609,550.00	_		0.77%		0.94%	08/01/25	AA+	944
U.S. Treasury	Treasury	\$	2,000,000.00	\$	1,932,625.00			3.13%		0.40%	08/15/25	Aaa	958
John Deere Capital Corp.	Corporate		2,000,000.00		1,952,040.00	_		3.40%		0.40%	09/11/25	A	985
Federal Home Loan Bank	Agency	\$	3,000,000.00		2,878,860.00	_		1.75%	_	0.58%	09/12/25	AA+	986
Los Angeles School District	Muni	\$	5,000,000.00		4,690,250.00	_		1.54%	_	0.96%	09/15/25	A+	989
Federal Home Loan Mortgage Corporation	Agency	\$	2,000,000.00	_	1,834,580.00	-		0.38%		0.37%	09/23/25	AA+	997
Federal Home Loan Mortgage Corporation	Agency	\$	2,000,000.00	\$	1,834,580.00	-		0.38%		0.37%	09/23/25	AA+	997
Federal Home Loan Mortgage Corporation	Agency	\$	2,000,000.00	_	1,838,820.00			0.55%		0.37%	09/30/25	AA+	1004
CA ST	Muni	\$	3,000,000.00		3,060,360.00	_		5.50%		0.64%	10/01/25	AA-	1005
Procter & Gamble Co.	Corporate		3,000,000.00		2,758,680.00	_		0.55%	+	0.56%	10/29/25	AA-	1033
CA State	Muni	\$	2,000,000.00		1,976,280.00	_		3.00%		0.40%	11/01/25	AA-	1036
CA State University	Muni	\$	5,555,000.00		5,089,990.95	_	4,974,558.05	0.89%	_	1.03%	11/01/25	AA-	1036
Federal National Mortgage Association	Agency	\$	2,000,000.00		1,836,200.00	-		0.50%		0.37%	11/07/25	AA+	1042
Federal National Mortgage Association		· •	2 000 000 00	\$	1 027 200 00	1 0	1 700 500 00	0.50%	1.13%	0.37%	11/07/25	AA+	1042
	Agency	\$	2,000,000.00		1,836,200.00	_							
U.S. Bancorp Federal Home Loan Bank	Agency Corporate Agency	\$	2,000,000.00 3,000,000.00 2,000,000.00	\$	3,014,670.00 2,015,186.78	\$	2,926,740.00	3.95% 4.50%	0.75%	0.61%	11/07/25 11/17/25 12/12/25	AA+ AA+	1052 1077

City of Visalia Investment Report By Maturity Date 12/31/2022 (cont.)

Cardense S 4,000,000,00 S 3,5879,000 0,00% 1,04% 0,74% 0311.06 A 1166	John Deere Capital Corp.	C	Φ	3,000,000.00	\$	2,708,820.00	\$	2.660.520.00	0.700/	0.74%	0.500/	01/15/26	Α.	1111
CA Statie		Corporate			_			2,669,520.00	0.70%		0.56%	01/15/26	A	
CA State			Ė	, ,	_									
Bay Area Toll Authority			_		_									
Amazon Com Inc. Corporate S. J.000,000.00 S. 2,728,230.00 S. 2,657,140.00 J.02% 0.57% 0.512.26 AA 1228 John Decre Capital Corp. Corporate S. 1,250,000.00 S. 1,129,2877.50 S. 1,109,262.50 1.05% 0.91% 0.23% 0617/26 A. 1264 U.S. Treasury Treasury S. 3,000,000.00 S. 2,958,260.00 0.8%% 1.61% 0.55% 063726 Aa 1277 Federal Farm Credit Agency S. 2,000,000.00 S. 1,958,840.00 S. 2,014,700.00 4.96% 0.42% 0.727/26 AA 1.304 Los Angeles Commity College Muni S. 2,000,000.00 S. 1,958,840.00 S. 4,141,900.00 6.05% 2.58% 0.92% 0.737/26 AA 1.308 Los Angeles Commity College Muni S. 2,000,000.00 S. 1,919,360.00 S. 1,760,760.00 1.7% 2.38% 0.37% 0.98% 0.801/26 AA 1.309 Temoriu Unified School District Muni S. 5,740,000.00 S. 4,289,407.00 S. 4,272,270 0.83% 3.39% 0.98% 0.801/26 AA 1.309 Upper Sama Clara Valley Joint Powers Authority Muni S. 2,205,000.00 S. 2,358,000 S. 2,144,217.70 3.375, 3.55% 0.98% 0.801/26 AA 1.309 Upper Sama Clara Valley Joint Powers Authority Muni S. 2,205,000.00 S. 2,241,000.00 S. 2,144,217.70 3.375, 3.55% 0.44% 0.801/26 AA 1.309 Los Angeles Commity College AA 3,000,000.00 S. 2,241,000.00 S. 2,241,400.00 S. 2,24			_		<u> </u>									
John Deere Capital Corp.			_	,,	<u> </u>	, -,	<u> </u>	, ,						
U.S. Treasury		1	_	- , ,	-	,, ,, , , , , , , , , , , , , , , , , ,	-	,,.						
Federal Farm Credit	1 1	-	_		<u> </u>		_							
U.S. Treasury Treasury \$ 5.000,000.00 \$ 4.534,400.00 \$ 4.418,150.00 \$ 0.63% \$ 2.88% \$ 0.92% \$ 07.31/26 Aaa \$ 1308 Los Angeles Commy College Muni \$ 2.000,000.00 \$ 1.519,360.00 \$ 1.706,760.00 \$ 1.777,228.70 \$ 0.83% \$ 3.53% \$ 0.93% \$ 0.801/26 AA \$ 1309 \$ 1.785 \$ 0.785 \$ 0.785 \$ 0.785 \$ 0.83% \$ 0.375 \$ 0.801/26 AA \$ 1309 \$ 1.785 \$ 0.83% \$ 0.83% \$ 0.83% \$ 0.801/26 AA \$ 1309 \$ 1.785 \$ 0.83% \$ 0.83% \$ 0.83% \$ 0.801/26 AA \$ 1309 \$ 1.785 \$ 0.83% \$ 0.83% \$ 0.83% \$ 0.801/26 AA \$ 1309 \$ 1.785 \$ 0.83% \$ 0.83% \$ 0.83% \$ 0.83% \$ 0.801/26 AA \$ 1309 \$ 1.785 \$ 0.83% \$ 0.83% \$ 0.83% \$ 0.83% \$ 0.801/26 AA \$ 1309 \$ 1.785 \$ 0.93% \$ 0.83% \$ 0.83% \$ 0.83% \$ 0.801/26 AA \$ 1309 \$ 1.785 \$ 0.93% \$ 0.83% \$	Ž				_									
Los Angeles Commty College			Ė		_									
Femont Unified School District Muni \$ 5,470,000.00 \$ 4,928,907.60 \$ 4,727,228.70 0.83% 3.30% 0.98% 0801/26 AA 1309			_		-		-							
Upper Santa Clara Valley Joint Powers Authority Muni \$ 3,700,000,000 \$ 3,358,046,000 \$ 3,263,104,000 1.18% 3.43% 0.68% 0801/26 AA 1309			_		_		-							
San Jose Unified School District Muni \$ 2,205,000.00 \$ 2,205,352.80 \$ 2,114,021.70 3.37% 3.55% 0.44% 08/01/26 AA+ 1399					_									
Federal Home Loan Bank	11		Ė	- , ,	_		-							
Federal National Mortgage Association Agency \$ 2,000,000.00 \$ 1,903,000.00 \$ 1,845,300.00 1.88% 1.21% 0.38% 09/24/26 AA+ 1363 U.S. Treasury Treasury \$ 3,000,000.00 \$ 2,275,2200.00 \$ 2,663,790.00 2.38% 1.05% 0.55% 09/30/26 Aaa 1369 CA State Muni \$ 3,000,000.00 \$ 2,868,990.00 2.38% 1.05% 0.55% 1001/26 AA- 1370 CA State Department Water Muni \$ 5,000,000.00 \$ 4,502,700.00 \$ 4,344,850.00 1.05% 1.68% 0.90% 1201/26 AAA 1431 Federal Home Loan Bank Agency \$ 3,000,000.00 \$ 2,2774,250.00 \$ 2,685,510.00 1.25% 1.66% 0.56% 1221/26 AAA 1431 Federal Home Loan Bank Agency \$ 5,000,000.00 \$ 4,423,750.00 \$ 4,475,850.00 1.25% 1.66% 0.56% 1221/26 AA+ 1451 Federal Home Loan Bank Agency \$ 5,000,000.00 \$ 1,985,760.00 \$ 1,978,360.00 3.88% 4.07% 0.41% 1223/26 AA+ 1451 Federal Home Loan Bank Agency \$ 5,000,000.00 \$ 4,476,100.00 \$ 4,579,300.00 3.88% 4.07% 0.41% 1223/26 AA+ 1451 U.S. Treasury Treasury \$ 5,000,000.00 \$ 4,476,100.00 \$ 4,759,300.00 3.88% 4.07% 0.41% 1223/26 AA+ 1451 Federal Farm Credit Agency \$ 5,000,000.00 \$ 4,476,100.00 \$ 4,759,300.00 3.88% 4.07% 0.41% 1223/26 AA+ 1451 Federal Home Loan Bank Agency \$ 5,000,000.00 \$ 4,476,100.00 \$ 4,759,300.00 3.88% 4.07% 0.41% 1223/26 AA+ 1451 Federal Farm Credit Agency \$ 5,000,000.00 \$ 4,476,100.00 \$ 4,759,300.00 3.88% 3.88% 0.99% 04/26/27 AA+ 1564 Federal Home Loan Bank Agency \$ 5,000,000.00 \$ 4,476,100.00 \$ 4,759,300.00 3.88% 4.07% 0.41% 0.220/27 AA+ 1564 Federal Home Loan Bank Agency \$ 5,000,000.00 \$ 4,476,100.00 \$ 4,759,300.00 3.88% 4,07% 0.48% 0.95% 0.048/27 AA+ 1567 Federal Home Loan Bank Agency \$ 5,000,000.00 \$ 4,976,100.00 \$ 4,759,300.00 3.88% 4,07% 0.48% 0.98% 0.98% 0.98% 0.98% 0.98% 0.98% 0.98% 0.98% 0.98% 0.98% 0		Muni		,,	_	,,	<u> </u>	, ,- ,-					AA+	
U.S. Treasury S 3,000,000.00 S 2,752,200.00 S 2,663,790.00 0.88% 3.02% 0.55% 09/30/26 Aaa 1369 CA State Muni S 3,000,000.00 S 2,868,990.00 S 2,761,590.00 2.38% 1.05% 0.57% 10/01/26 AAA 1370 CA State Department Water Muni S 5,000,000.00 S 2,868,990.00 S 2,761,590.00 2.38% 1.05% 0.57% 10/01/26 AAA 1370 Federal Home Loan Bank Agency S 3,000,000.00 S 2,274,250.00 S 2,885,510.00 1.25% 1.66% 0.56% 12/21/26 AAA 1451 Federal Home Loan Bank Agency S 5,000,000.00 S 4,623,750.00 S 4,475,850.00 1.25% 1.66% 0.56% 12/21/26 AAA 1451 Federal Farm Credit Agency Treasury S 5,000,000.00 S 1,987,600.00 S 4,778,850.00 1.25% 2,77% 0.93% 12/21/26 AAA 1451 Federal Farm Credit Agency S 5,000,000.00 S 4,905,300.00 S 4,759,850.00 1.25% 2,77% 0.95% 0.248/27 AAA 1451 Federal Farm Credit Agency S 5,000,000.00 S 4,905,300.00 S 4,745,000.00 3.30% 3.38% 0.99% 04/13/27 AA 1564 Federal Farm Credit Agency S 5,000,000.00 S 4,947,400.00 S 4,759,850.00 2,88% 2,88% 0.99% 04/13/27 AA 1564 Federal Farm Credit Agency S 5,000,000.00 S 4,947,400.00 S 4,759,850.00 2,88% 2,88% 0.99% 04/13/27 AA 1564 Federal Home Loan Bank Agency S 5,000,000.00 S 4,947,400.00 S 4,759,850.00 2,88% 2,88% 0.99% 04/13/27 AA 1564 Federal Home Loan Bank Agency S 2,000,000.00 S 4,947,400.00 S 4,759,850.00 2,88% 2,88% 0.99% 04/13/27 AA 1564 Federal Home Loan Bank Agency S 2,000,000.00 S 4,947,400.00 S 4,759,850.00 2,88% 2,88% 0.99% 04/13/27 AA 1564 Federal Home Loan Bank Agency S 2,000,000.00 S 1,977,580.00 S 1,977,100.00 3,75% 4,00% 0.48% 0.920/27 AA 1724 Federal Home Loan Bank Agency S 2,000,000.00 S 1,977,580.00 S 1,977,580.00 S 4,00% 0.08% 0.48% 0.18% 0.18% 0.18% 0		Agency	_		_		<u> </u>							
CA State	Federal National Mortgage Association	Agency			\$	1,903,000.00	\$	1,845,300.00	1.88%		0.38%	09/24/26	AA+	
CA State Department Water		Treasury	_		_		_			3.02%	0.55%	09/30/26	Aaa	
Federal Home Loan Bank	CA State	Muni		3,000,000.00	\$	2,868,990.00	\$	2,761,590.00	2.38%	1.05%	0.57%	10/01/26	AA-	1370
Federal Home Loan Bank Agency \$ 5,000,000.00 \$ 4,623,750.00 \$ 4,475,850.00 1.25% 2.70% 0.93% 12/21/26 AA+ 1451 Federal Farm Credit Agency \$ 2,000,000.00 \$ 1,985,760.00 \$ 1,978,360.00 3.88% 4.07% 0.41% 12/23/26 AA+ 1451 U.S. Treasury Treasury \$ 5,000,000.00 \$ 4,746,100.00 \$ 4,749,000.00 \$ 4,745,000.00 3.88% 2.37% 0.95% 02/28/27 Aaa 1520 Amazon Com Inc. Corporate \$ 5,000,000.00 \$ 4,947,400.00 \$ 4,745,000.00 3.30% 3.38% 0.99% 04/26/27 AA 1564 Federal Farm Credit Agency \$ 5,000,000.00 \$ 4,947,400.00 \$ 4,759,850.00 2.88% 2.88% 0.99% 04/26/27 AA 1577 U.S. Treasury Treasury 3,000,000.00 \$ 2,900,812.50 \$ 2,775,120.00 2.88% 2.88% 0.99% 04/26/27 AA 1688 Toyota Motor Credit Corporate \$ 2,000,000.00 \$ 1,987,280.00	CA State Department Water	Muni	\$	5,000,000.00	\$	4,502,700.00	\$	4,344,850.00	1.05%	1.68%	0.90%	12/01/26	AAA	1431
Federal Farm Credit	Federal Home Loan Bank	Agency	\$	3,000,000.00	\$	2,774,250.00	\$	2,685,510.00	1.25%	1.66%	0.56%	12/21/26	AA+	1451
U.S. Treasury	Federal Home Loan Bank	Agency	\$	5,000,000.00	\$	4,623,750.00	\$	4,475,850.00	1.25%	2.70%	0.93%	12/21/26	AA+	1451
Amazon.Com Inc.	Federal Farm Credit	Agency	\$	2,000,000.00	\$	1,985,760.00	\$	1,978,360.00	3.88%	4.07%	0.41%	12/23/26	AA+	1453
Federal Farm Credit	U.S. Treasury	Treasury	\$	5,000,000.00	\$	4,746,100.00	\$	4,579,300.00	1.88%	2.37%	0.95%	02/28/27	Aaa	1520
U.S. Treasury	Amazon.Com Inc.	Corporate	\$	5,000,000.00	\$	4,905,300.00	\$	4,745,000.00	3.30%	3.38%	0.99%	04/13/27	AA	1564
Toyota Motor Credit	Federal Farm Credit	Agency	\$	5,000,000.00	\$	4,947,400.00	\$	4,759,850.00	2.88%	2.88%	0.99%	04/26/27	AA+	1577
Federal Home Loan Bank	U.S. Treasury	Treasury	\$	3,000,000.00	\$	2,900,812.50	\$	2,775,120.00	2.25%	2.97%	0.58%	08/15/27	Aaa	1688
Federal Farm Credit Agency \$ 2,000,000.00 \$ 1,977,580.00 \$ 1,970,100.00 3.75% 4.00% 0.41% 12/22/27 AA+ 1817 Total Investments \$ 429,231,000.00 \$ 414,517,825.59 \$ 409,411,076.85 \$ 85.1% Other Investments Local Agency Investment Funds (LAIF) LAIF \$ 23,074,433.92 \$ 23,074,433.92 \$ 23,074,433.92 1.98% 1.98% 4.8% 12/31/22 N/A - Local Agency Investment Funds (LAIF) - COVID LAIF \$ 29,531,161.40 \$ 29,531,161.40 \$ 29,531,161.40 1.98% 1.98% 6.1% 12/31/22 N/A - California Asset Management Program (CAMP) CAMP \$ 18,660,618.72 \$ 18,660,618.72 \$ 18,660,618.72 \$ 18,660,618.72 4.30% 4.30% 3.9% 12/31/22 N/A - Orchard Walk West Bond \$ 180,000.00 \$ 180,000.00 \$ 180,000.00 6.75% 6.75% 0.0% 06/01/26 N/A 1248 Atwood Water Main District Bond \$ 81,676.33 \$ 81,676.33 \$ 81,676.33 \$ 81,676.33 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802	Toyota Motor Credit	Corporate	\$	2,000,000.00	\$	1,987,280.00	\$	1,972,440.00	4.55%	4.70%	0.41%	09/20/27	A+	1724
Total Investments	Federal Home Loan Bank	Agency	\$	2,000,000.00	\$	2,019,380.00	\$	2,011,620.00	4.25%	4.03%	0.42%	12/10/27	AA+	1805
Other Investments Local Agency Investment Funds (LAIF) LAIF \$ 23,074,433.92 \$ 23,074,433.92 \$ 23,074,433.92 \$ 1.98% 4.8% 12/31/22 N/A - Local Agency Investment Funds (LAIF) - COVID LAIF \$ 29,531,161.40 \$ 29,531,161.40 \$ 29,531,161.40 1.98% 6.1% 12/31/22 N/A - California Asset Management Program (CAMP) CAMP \$ 18,660,618.72 \$ 18,660,618.72 \$ 18,660,618.72 4.30% 4.30% 3.9% 12/31/22 N/A - Orchard Walk West Bond \$ 180,000.00 \$ 180,000.00 \$ 180,000.00 6.75% 6.75% 0.0% 06/01/26 N/A 1248 Atwood Water Main District Bond \$ 11,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802	Federal Farm Credit	Agency	\$	2,000,000.00	\$	1,977,580.00	\$	1,970,100.00	3.75%	4.00%	0.41%	12/22/27	AA+	1817
Other Investments Local Agency Investment Funds (LAIF) LAIF \$ 23,074,433.92 \$ 23,074,433.92 \$ 23,074,433.92 \$ 1.98% 4.8% 12/31/22 N/A - Local Agency Investment Funds (LAIF) - COVID LAIF \$ 29,531,161.40 \$ 29,531,161.40 \$ 29,531,161.40 1.98% 6.1% 12/31/22 N/A - California Asset Management Program (CAMP) CAMP \$ 18,660,618.72 \$ 18,660,618.72 \$ 18,660,618.72 4.30% 4.30% 3.9% 12/31/22 N/A - Orchard Walk West Bond \$ 180,000.00 \$ 180,000.00 \$ 180,000.00 6.75% 6.75% 0.0% 06/01/26 N/A 1248 Atwood Water Main District Bond \$ 11,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802														
Other Investments Local Agency Investment Funds (LAIF) LAIF \$ 23,074,433.92 \$ 23,074,433.92 \$ 23,074,433.92 \$ 1.98% 4.8% 12/31/22 N/A - Local Agency Investment Funds (LAIF) - COVID LAIF \$ 29,531,161.40 \$ 29,531,161.40 \$ 29,531,161.40 1.98% 6.1% 12/31/22 N/A - California Asset Management Program (CAMP) CAMP \$ 18,660,618.72 \$ 18,660,618.72 \$ 18,660,618.72 4.30% 4.30% 3.9% 12/31/22 N/A - Orchard Walk West Bond \$ 180,000.00 \$ 180,000.00 \$ 180,000.00 6.75% 6.75% 0.0% 06/01/26 N/A 1248 Atwood Water Main District Bond \$ 11,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802	TO A LITE AND A SECOND ASSESSMENT OF THE SECON	-	Φ.	120 221 000 00	ф	414 515 925 59	Φ.	400 411 077 07			05.10/			
Local Agency Investment Funds (LAIF) LAIF \$ 23,074,433.92 \$ 23,074,433.92 \$ 23,074,433.92 1.98% 1.98% 4.8% 12/31/22 N/A - Local Agency Investment Funds (LAIF) - COVID LAIF \$ 29,531,161.40 \$ 29,531,161.40 1.98% 1.98% 6.1% 12/31/22 N/A - California Asset Management Program (CAMP) CAMP \$ 18,660,618.72 \$ 18,660,618.72 \$ 18,660,618.72 4.30% 4.30% 3.9% 12/31/22 N/A - Orchard Walk West Bond \$ 180,000.00 \$ 180,000.00 \$ 180,000.00 6.75% 6.75% 0.0% 06/01/26 N/A 1248 Atwood Water Main District Bond \$ 18,676.33 \$ 81,676.33 \$ 81,676.33 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802	Total Investments		3 4	129,231,000.00	Þ	414,517,825.59	Þ	409,411,076.85			85.1%			
Local Agency Investment Funds (LAIF) LAIF \$ 23,074,433.92 \$ 23,074,433.92 \$ 23,074,433.92 1.98% 1.98% 4.8% 12/31/22 N/A - Local Agency Investment Funds (LAIF) - COVID LAIF \$ 29,531,161.40 \$ 29,531,161.40 1.98% 1.98% 6.1% 12/31/22 N/A - California Asset Management Program (CAMP) CAMP \$ 18,660,618.72 \$ 18,660,618.72 \$ 18,660,618.72 4.30% 4.30% 3.9% 12/31/22 N/A - Orchard Walk West Bond \$ 180,000.00 \$ 180,000.00 \$ 180,000.00 6.75% 6.75% 0.0% 06/01/26 N/A 1248 Atwood Water Main District Bond \$ 18,676.33 \$ 81,676.33 \$ 81,676.33 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802														
Local Agency Investment Funds (LAIF) - COVID LAIF \$ 29,531,161.40 \$ 29,531,161.40 \$ 29,531,161.40 \$ 1.98% 1.98% 6.1% 12/31/22 N/A - California Asset Management Program (CAMP) CAMP \$ 18,660,618.72 \$ 18,660,618.72 \$ 18,660,618.72 \$ 4.30% 4.30% 3.9% 12/31/22 N/A - Orchard Walk West Bond \$ 180,000.00 \$ 180,000.00 \$ 180,000.00 \$ 6.75% 6.75% 0.0% 06/01/26 N/A 1248 Atwood Water Main District Bond \$ 81,676.33 \$ 81,676.33 \$ 81,676.33 \$ 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 \$ 4.00% 4.00% 0.0% 09/02/30 N/A 2802	Other Investments													
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Orchard Walk West Bond \$ 180,000.00 \$ 180,000.00 \$ 180,000.00 6.75% 6.75% 0.0% 06/01/26 N/A 1248 Atwood Water Main District Bond \$ 81,676.33 \$ 81,676.33 \$ 81,676.33 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802	Local Agency Investment Funds (LAIF) - COVID	LAIF	\$	29,531,161.40	\$	29,531,161.40	\$	29,531,161.40	1.98%	1.98%	6.1%	12/31/22	N/A	-
Atwood Water Main District Bond \$ 81,676.33 \$ 81,676.33 \$ 81,676.33 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802	California Asset Management Program (CAMP)	CAMP	\$	18,660,618.72	\$	18,660,618.72	\$	18,660,618.72	4.30%	4.30%	3.9%	12/31/22	N/A	-
Atwood Water Main District Bond \$ 81,676.33 \$ 81,676.33 \$ 81,676.33 4.00% 4.00% 0.0% 09/02/30 N/A 2802 Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802	Orchard Walk West	Bond	\$	180,000.00	\$	180,000.00	\$	180,000.00	6.75%	6.75%	0.0%	06/01/26	N/A	1248
Laura Water Main District Bond \$ 51,785.37 \$ 51,785.37 \$ 51,785.37 4.00% 4.00% 0.0% 09/02/30 N/A 2802			_		\$		\$							
			_		<u> </u>		<u> </u>					+ +		
T			_	71,579,675.74	_	71,579,675.74	_	71,579,675.74						

Total Portfolio Holdings	\$ 500.810.675.74 \$ 4	486,097,501.33	\$ 480,990,752,59	1.93% 100.0%



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0085 Agenda Date: 3/20/2023 Agenda #: 4.

Agenda Item Wording:

Acceptance of the 2022 Housing Element Annual Progress Report (APR).

Deadline for Action: 3/20/2023

Submitting Department: Community Development

Contact Name and Phone Number:

Brandon Smith, Principal Planner, 713-4636 brandon.smith@visalia.city

<mailto:brandon.smith@visalia.city>

Paul Bernal, Community Development Director, 713-4025 paul.bernal@visalia.city

<mailto:paul.bernal@visalia.city>

Department Recommendation:

Staff recommends that the City Council receive the 2022 Housing Element Annual Progress Report and authorize staff to forward the report to the State Department of Housing and Community Development (HCD).

Background Discussion:

Pursuant to State Housing Law (Government Code Section §65400), cities and counties are required to report their progress on implementing their current Housing Elements. The report includes a summary of the jurisdiction's housing activity, progress in reaching their Regional Housing Needs Assessment (RHNA) by income level, and progress in implementing our Housing Element's goals and programs.

The report is a useful tool for City officials, staff, citizens, and stakeholder groups interested in the City's housing trends, particularly as they relate to affordable housing. The report must be reviewed by the City Council, submitted to HCD by April 1st, and accepted by HCD. Failure to prepare and deliver the report on a timely basis incurs risk of the City losing future housing grant funding opportunities.

The report demonstrates that the City follows all applicable State laws and policies pertaining to housing, and that the City is implementing its housing policies and programs as articulated in its midcycle or four-year update to the 5th Cycle Housing Element adopted in December 2019. (Currently staff is working together with consultants on the preparation of a 6th Cycle Housing Element, which is due to the State by December 31, 2023.)

The 2022 APR forms and tables are largely unchanged from the previous year's format. The APR continues to require listing and affordability determination of all "considered" housing projects (i.e., potential projects submitted to the Site Plan Review Committee), completed entitlements, and individual building permits for every individual housing unit. Jurisdictions report these units to gain

credit against their RHNA housing unit requirements. The expanded reporting is in accordance with the State's enhanced focus on the housing development process.

All residential building permits must be tracked through to their final grant of occupancy. Only units that receive issuance of a building permit during the reporting period are counted toward the jurisdiction's RHNA allocation. Notwithstanding the interest in the jurisdiction's performance on providing affordable housing to lower income households, the APR requires detailed permit information on all residential units.

The contents of the APR are described below along with their applicability to the City of Visalia.

	Table Name	Description
Table A	Housing development applications submitted	Lists all applications deemed complete in 2022. Examples: Subdivision Maps, Conditional Use Permits, Site Plan Review applications receiving a "Revise & Proceed" and needing no further entitlements.
Table A2	Annual building activity report summary	Lists all housing units that have received an entitlement, issued and/or finaled building permit in 2022. Examples: building permits for single-family, multi-family, and accessory dwelling units, applications listed in Table A.
Table B	RHNA Progress	Summary of permits issued by income level in each year of RHNA allocation.
Table C	Sites identified / rezoned to accommodate shortfall housing need	N/A for Visalia. The City maintains a surplus in all levels.
Table D	Program implementation status	Reports on all mid-cycle update to the 5 th Cycle Housing Element programs.
Table E	Commercial development bonuses approved	N/A for Visalia. No such applications received in reporting period.
Table F	Units rehabilitated, preserved and acquired for alternative adequate sites	N/A for Visalia. Optional table.
Table F2	Above moderate income units converted to moderate income units	N/A for Visalia. Optional table. New table for 2022.
Table G	Locally owned lands included in Housing Element sites inventory that have been sold, leased, or disposed	N/A for Visalia. No locally owned inventoried land has been sold.
Table H	Locally Owned or Controlled Lands Declared Surplus	Lists sites designated as surplus. Currently none of these sites contain housing.
Table I	Lot splits applied for or units constructed pursuant to SB 9	N/A for Visalia. No lot splits or units were applied for in 2022.
Table J	Student housing development with a density bonus approved	N/A for Visalia. No student housing applied for.

File #: 23-0085	Agenda Date: 3/20/2023	Agenda #: 4.

1	Summary of data from preceding tables	Summary of data from preceding tables
Reporting		Reports the City's progress on its LEAP grant, which was approved in 2021.

Summary of Report:

Table A: Application Submittal Summary

- Entitlement Applications. Entitlement applications reflecting a total of 1,890 units were submitted and deemed complete in 2022. Excepting for three deed-restricted affordability apartment complexes comprising 856 units that were approved in January and February 2023, all other entitlement applications were approved in 2022. This includes:
 - two conditional use permit (CUP) applications for apartments totaling 304 units:
 - Orchard Walk Townhomes, Riggin & Court, 234 units;
 - Highland Avenue Senior Apartments, 2400 N. Highland Avenue, 70 units (deed restricted for Very Low Income category).
 - one CUP application for a single-family residence in a multi-family residential zone,
 - three parcel maps yielding 7 developable lots, and
 - six subdivision maps totaling 612 single-family residential units (refer to Table A).
- **Site Plan Review by-right uses**. Units tallied through Site Plan Review applications for by-right uses receiving a "Revise & Proceed" are approximately 110 units over six projects, including one 80-unit deed-restricted Very Low and Low Income development (Rancho Colegio, Dinuba & Glendale, Self-Help Enterprises) and one 6-unit deed-restricted Very Low Income Development (Santa Fe & Tulare, Habitat For Humanity).

Table A2: Building Activity

Comparative data sets between the 2019, 2020, 2021, and 2022 APR submittals are shown in the tables below:

Residential Permit Category	<u> 2019</u>	<u>2020</u>	<u> 2021</u>	2022
Issued building permits: ADUs	4	2	5	16
Single-Family Units	633	599	632	540
Multi-Family Units	61	6	204	695
Granted occupancy: ADUs	1	3	4	8
Single-Family Units	529	571	590	651
Multi-Family Units	72	38	2	43

Affordability by Income (issued permits)	2019	2020	2021	2022

TOTAL	698	607	841	1,251
Extremely Low	0	0	7	38
Very Low	20	1	40	21
Low	46	10	170	657
Moderate	463	504	548	411
Above Moderate	169	92	76	124

- **Multi-Family Residential**. The 695 multi-family units that were issued permits are all classified as affordable to the Extremely Low, Very Low, or Low Income categories based on the density of the units' underlying zone district. The largest contributing projects are:
 - Reserve at Ritchie Ranch (Akers & Riggin, 219 units),
 - Village at Shannon Parkway (Court & Shannon, 204 units),
 - Visalia Apartments (Shirk & Doe, 124 units),
 - Lofts at Fort Visalia (Bridge & Oak, 80 units),
 - Wood Ranch Unit 3 (Noble & Summit, 38 units), and
 - Diamond Oaks (Burke & Caldwell, 12 units).
 - Deed Restricted Affordability. Permits issued for 79 multi-family units, all affiliated with the Lofts at Fort Visalia to be managed by Self-Help Enterprises, will be deed restricted units. This project consists of 34 units affordable to Extremely Low Income, 16 units affordable to Very Low Income, and 29 units affordable to Low Income, plus one non-deed restricted managers' unit. Also, permits issued for five single-family units, constructed by Self-Help Enterprises at Court Street & Northwest 5th Avenue, will be deed restricted units to first-time homebuyers in the Low Income category.
 - **Single-Family Residential Very Low Income Affordability**. A total of nine accessory dwelling units (ADUs) were issued permits classified as affordable to the Very Low Income category based on total valuation of the permit and number of bedrooms.
 - Single-Family Residential Low Income Affordability. A total of four ADUs and three single
 -family residences were issued permits classified as affordable to the Low Income category
 based on total valuation of the permit and number of bedrooms.
 - Single-Family Residential Moderate & Above Moderate Affordability. A total of 411 single
 -family residences are classified as affordable to the Moderate Income category, and 124 singlefamily residences are classified as affordable to the Above Moderate Income category, based on
 total valuation of the permit and number of bedrooms.
 - **Affordability Determination**. Like in previous reporting years, affordability in the 2022 reporting year was determined based on an affordability calculator made available by State HCD through their website.

<u>Table B</u>: Regional Housing Needs Assessment (RHNA) Compliance:

There were no discretionary actions that affected the City's RHNA obligations. Consequently, the

File #: 23-0085 Agenda Date: 3/20/2023 Agenda #: 4.

RHNA remains in compliance with the Housing Element and State law.

<u>Table D</u>: Housing Element Implementation:

One key program accomplishment for 2022 was the approval of a Zoning Text Amendment (ZTA) on April 18, 2022, for an implementation program to address other zone districts where emergency shelters may be allowed as a permitted or conditional use and the development of performance standards (Program 5.3).

The City also completed work on two implementation programs intended to promote the production of ADUs - preparation of pre-approved ADU building plans for use by the public (Program 3.23) and preparation of an ADU impact fee study to justify reduction of development fees (Program 3.12).

Also, in 2022, the City provided financial assistance in the form of HOME and LMIHAF funds for the development of the 80-unit Lofts at Fort Visalia mixed-use development, and CDBG, PLHA, and LMIHAF funds towards the development of a 100-bed Low-Barrier Navigation Center (Programs 3.5.2 and 6.2). The City also provided financing and forgivable financing as an incentive for affordable housing (Program 3.11).

Fiscal Impact:

None. However, failure to submit the report in a timely manner exposes the City to risk of being ineligible for future State housing grant opportunities.

Prior Council Action:

The mid-cycle or four-year update to the 5th Cycle Housing Element (from which the Implementation Programs in Table D of the APR are reviewed) was approved by the City Council on December 3, 2019. On March 21, 2022, the City Council received the 2021 Housing Element Annual Progress Report and authorized staff to submit the report to the State Department of Housing and Community Development (HCD).

Other: None.

Alternatives:

Direct revisions to the report and submit by April 1st, and/or report back to the City Council with additional information as directed.

Recommended Motion (and Alternative Motions if expected):

I move to accept the report and direct staff to forward the final report to the State Department of Housing and Community Development.

Environmental Assessment Status:

Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15306 (Information Collection).

CEQA Review:

File #: 23-0085 **Agenda Date:** 3/20/2023 Agenda #: 4.

California Environmental Quality Act (CEQA) Guidelines Section 15306 (Information Collection).

Attachments:

2022 Annual Progress Report 1.

 Jurisdiction
 Visalia

 Reporting Year
 2022
 (Jan. 1 - Dec. 31)

 Planning Period
 5th Cycle
 12/31/2015 - 12/31/2023

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Note: "+" indicates an optional field Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

·			Housing Development Applications Submitted																
		Project Identifi	er			Unit Types Date Application Submitted 2 3 4					d Units - Affordability by Household Incomes					Total Approved Units by Project	Approved Disapproved Units by Project Project	Streamlining	Density Bo Applica
Prior APN ⁺	Current APN	1 Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted+ (see instructions)	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Total <u>PROPOSED</u> Units by Project	Total APPROVED Units by project	Total <u>DISAPPROVED</u> Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Ddi the housing development application seek incentives or concessions pursuant to Government Code section 65915?
Summary Row: Star	rt Data Entry Below							370	10	632	257	0	2	619	1890	0			
	98040009	1112 N Irma Street	1112 N Irma St Master Plan	SPR22075	2-4		05/05/2022				3		1		4			N	l No
	94353008	Murray Ave & Encina St	Duplex at Murray & Encina	SPR22066	2-4	F	04/22/2022				2				2			N	
	97241003 98200011	Santa Fe Street & Tulare Ave	Habitat for Humanity 6-Unit Complex	SPR22109	SFD 5+		00/24/2022	6	10						6			N	
	79071030	1818 E Houston Avenue Dinuba Blvd & Glendale Ave	Houston Avenue Apartments -Building 'C' Rancho Colegio Affordable Housing	SPR21226 SPR22098	5+		01/02/2022	40		40					80			N N	
	119040021	Walnut Ave & Linwood St	Singh 8-Unit Complex	SPR22033	5+		06/10/2022	40		40	8				8			N N	
	90060058	2400 N Highland Street	Conditional Use Permit #2021-37	SPR21154	5+		03/05/2022	69			1				70			N	
	94055005	1205 N Court Street	Conditional Use Permit #2022-03	SPR21129	SFD	C	09/24/2022						1		1			N	l No
	79310004	Riggin Ave & Court St	Conditional Use Permit #2022-09 (Orchard	SPR22010	5+	F	2			1	234				234			N	l No
	77660021	Demaree St & Houston Ave	Walk Townhomes) Conditional Use Permit #2022-21	SPR22063	5+	F	05/05/2022	66		154	2				222		1	N	Yes
	126120065	Ben Maddox Way & K Ave	Conditional Use Permit #2022-23	SPR22065	5+	F		87		202					292			N N	
	126850029	Lovers Lane & Caldwell Ave	Conditional Use Permit #2022-25	SPR22111	5+	F		102		236	4				342			N	Yes
	126020081	4234 S Demaree Street	Tentative Parcel Map #2021-06	SPR20176	SFD		02/09/2022							4	4			N	
	77190016 103330100	2524 N Linwood Street	Tentative Parcel Map #2021-09	SPR21201	SFD SFD		01/02/2022			1				1	1		1	N	
	103330100 81030046	3307 E Houston Avenue	Tentative Parcel Map #2022-04	SPR22086	SFD SFD		00/00/2022			 				41	2		 	N N	
	127030018	Shirk Street & Grove Avenue Lovers Lane & Cherry St	Iron Ridge TSM #5581 Higgins Ranch TSM #5585	SPR21017 SPR22044	SFD		06/23/2022			1	-	-		176				N N	
	77190007	Ferguson Ave & Chinowth St	Victory Oaks TSM #5586	SPR21207	SFD		02/25/2022							117				N	
	103020064	St Johns Pkwy & River Run St	River Run 2022 TSM #5592	SPR22003	SFD	C	06/10/2022							160				N	
	101050041	Lovers Lane & Packwood Creek	Visalia 35 TSM #5593	SPR20124	SFD									96	96			N	No.
	77650001	Shirk St & Ferguson Ave	San Marino TSM #5594	SPR22061	SFD	C	09/08/2022							22	22			N	l No
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	Project Identifier		Annual Build	ding Activity Re	Table A2 Report Summary - New Constru Affordability by		Permits and Completed Un		Affordability b	y Household Inco	omes - Building Permits			Affordability by Household Inc	comes - Certificates of Occu	pancy		Streamlining Infill Housing with Financial Assist and/or Deed Restrictions	B Housing without Financial Assistance or Deed Restrictions	Term of Affordabili	ility Demolished	Destroyed Units	Density Bon	us	Notes	49
	1		2 3			4		5	6	7		2		10		11	12 13	14 15 16 17	16	or Deed Restrictio	ion	20 2	21 22	23	24 25	
Prior APM Current APM Street Address	Project Name*				Very Low- income Non Deed Deed Deed Restricted Restricted	Low-Income Non Deed Restricted	Moderate- Income Deed Income Non Restricted Deed Restricte	Above Entitlement Moderate-d Income	Very Low- locome Deed Restricted Restricted Low-Income Ron Deed Restricted Restricted Restricted	come Low-Income d Non Deed ched Restricted	n Moderatis- brooms Deed brooms Non Moderate- Breatricised Deed Restricted Income Moderate- lincome Deed Restricted Income	s FofUnita Issued Building Parnits	Very Low- income Need Deed Restricted Restricted	ncome Low-Income Moderate- ed Non Deed Income Deed icted Restricted Restricted	Moderate- income Non Moderate- Deed Restricted Income	Certificates of Occupancy or other forms of readiness (see instructions) Date issued	# of Units Issued How many of the Units were Occupancy or other forms of readlesss	Wiss Project APPROVED using Got Gestal 4(4): YN 'VN' Was Project Approved to the first training of the first	For units affectable without financial estillators or dead restrictions, explain how the houthy determined the units sown as (see hertractions) of	Term of Affordability Cod Restriction (year (if affordability and a state of the st	r or Number of Demokshed/Dest Post Poyed Units	Demolahed De the Project over or Renter Renter Floor	iconum Applied to (Percontage cotal Allowable tal Maximum distretal Gross Area) Number of Other Incertives, Concessions, Walvers, or Other Modifications Given to the Project (Excluding Parking Reductions)	List the incentives, concessions, walvers, and re- modifications (Excluding Parking Walvers or Parking Modifications)	the project receive a duction or waiver of Notes" king standards? (YIN)	-
Surreary Rese: Start Date Entry Relate D00:40000	1112 N Irms St Master Duplex at Mirrory & D Habitat for Humanity 5-Lini	Plan SPR22075 scina SPR22066 Complex SPR22109	2-4 R 2-4 R SFD R	6	15 10 40	3 2	1	05/11/2022 06/27/2022 06/29/2022	9334 50 9 4 4 2 6	3 0	0 411 124	0 0 0		0 47 1	512	33	0 0	N Che	Primary maniforce with those socillary units in reaso in R-532 Zone. Afforded in Loss based on density range of PRIC & analysis in Housing Element Coults in R-632 Zone on bit containers of units told. Afforded in Loss Dassed on density receive of PRIC & analysis in Placehor Element On the R-632 Zone on bit containers of units told. Afforded in Loss Dassed on density receive of PRIC & analysis in Placehor Element	L 55					55-year deed restriction for two results of MAE work Add	for affordability from
79071930 Diruba Blid & Gendale Ase 119040021 Wahat Ave & Linwood St	Pancho Colegio Alfordabi Singh B-Unit Comp	Housing SPR22068	5+ R	40	40			01/05/2022 06/23/2022 06/08/2022 04/19/2022	10 80 8			0					0	N Ohe	Assertment connotes in 1946-3 Zhone, Affordable in Verv Love beased on density monor of 1940 A sentions in Househor Dennerd. Assertment connotes in 1946-3 Zhone, Affordable in Love beased on density repose of 1940 A snot	55					55-year deed restriction for learned to EFASE and AM 55-year deed restriction for	for affordability from
90000056 2600 N Ingland Street 94000055 1200 N Ingland Street 1200	Conditional Use Permit #	2022-03 SPR21129 2022-09 SPR22010	5+ R 5+ R SFD O			234	1	10/24/2022	70 1 224			0					0	N Che	Simple feating residences in PA4-2 Zeros. Affordable to Local based on companions to institute produces and control of the companions of the control of the	analysis in Housing 55 analysis in Housing					becomin HME and Alf	#SC
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Jurisdiction	Visalia	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Planning Period	5th Cycle	12/31/2015 - 12/31/2023												
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					Deniensk			D						
						Housing Nee								
					Permit	ted Units Iss	ued by Afford							
		1						2					3	4
Inco	ome Level	RHNA Allocation by Income Level		2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
	Deed Restricted	2,616	-	9	36	2	-	-	-	43	50	-	216	2,400
Very Low	Non-Deed Restricted	2,010	-	-	42	-	-	20	1	4	9	•	210	2,400
	Deed Restricted	1,931	-	106	-	72	-	-	-	22	34	•	1,265	666
Low	Non-Deed Restricted	1,931	-	-	118	-	86	46	10	148	623	•	1,203	000
	Deed Restricted	1,802	-	-	-	-	-	-	-	-	-	-	2,468	
Moderate	Non-Deed Restricted	1,002	-	132	279	29	102	463	504	548	411	-	2,400	
Above Moderate		3,672	-	367	246	403	391	169	92	76	124	-	1,868	1,804
Total RHNA		10,021												
Total Units				614	721	506	579	698	607	841	1,251	•	5,817	4,870
			ı	Progress toward ex	tremely low-incom	e housing need, a	s determined purs	uant to Governmen	nt Code 65583(a)(1)					
		5											6	7
		Extremely low-income Need		2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date	Total Units Remaining
Extremely Low-Incon	ne Units*	1,308		-	-	-	-	-	-	7	37	-	44	1,264

^{*}Extremely low-income houising need determined pursuant to Governnet Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th

cycle, Table B will only include units that were permitted during the portion of the year that was in the difference to the list year of the cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Jurisdiction	Visalia	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

lote: "+" indicates an optional field	
cells in grey contain auto-calculation formulas	

Planning Period	5th Cycle	12/31/2015 - 12/31/2023															
								Tabl									
						Sites Identifi	ied or Rezoned to	Accommodate	Shortfall Housin	g Need and No	Net-Loss Law						
	Project Ider	ntifier		Date of Rezone	RHN	IA Shortfall by Ho	usehold Income Cate	gory	Rezone Type				s	ites Description			
	1			2			3		4	5	6	7		8	9	10	11
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Date of Rezone	Very Low-Income	Low-Income	Moderate-Income	Above Moderate- Income	Rezone Type	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses
Summary Row: Start D	ata Entry Below																
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Jurisdiction	Visalia	
Reporting Year	2022	(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
HE Program 1.1 DESIGNATE FOR SUFFICIENT LAND	No net loss of land designated for Median, Low, Very Low, and Extremely Low Income Categories	Annually	A sufficient balance of all income categories continues to exist. There was no loss of land designated for these categories in 2022. Specifically there were no General Plan Amendment nor Change of Zone entitlements processed in 2022 resulting in a reduction of land designations for these income categories.
HE Program 1.2 CONTACT WITH CITY OFFICIALS	Conduct one discussion session by the Building Advisory Committee (BAC) quarterly meeting, and report back to the Committee on any issues raised within two CRC Quarterly meetings.	Annually	There was one meeting of the Building Advisory Committee held in 2022: on November 16. No discussion was voiced by members or attendees regarding specific controls or building standards that would discourage affordable or multi-family housing.
HE Program 1.3 SENIOR HOUSING RESIDENTIAL DEVELOPMENT BY RIGHT	Complete Ordinance Amendment within one year of Housing Element certification.	2020	Completed in 2021. No changes in 2022.
HE Program 1.4 CONDITIONAL USE PERMIT PROCESS	Provide a report to the Planning Commission on an annual basis that summarizes all multi-family residential projects considered by the Commission.	Annually	During 2022, the Planning Commission considered two multi-family residential development projects, one of which was over 80 units. A report for the 2022 year is anticipated to be presented to the Commission in April 2023.
HE Program 1.5 HOUSING EDUCATION	Schedule, coordinate and conduct at least one subject public meeting or stakeholder group seminar per year	Annually	In 2022, the Housing Authority of Tulare County conducted a public hearing to explain their Moving to Work Program Plan, Section 8, and Public Housing Programs. The City held 3 public hearings and 2 community meetings covering CDBG and HOME funded programs, which included affordable housing programs.

	•		
HE Program 1.6 PROJECT STATUS REPORT	Meet all prescribed processing timelines as contained in the City's Zoning Ordinance and Community Development Department policies and procedures. Establish a tracking system for length of time taken to process entitlement requests. Staff shall review the tracking system on an ongoing basis to assess where specific types of permits can be processed more efficiently.	Daily, Ongoing	The City continues to utilize its electronic permitting software (Accela) to track the progress and length of time for development processing against established goals, striving to establish industry leading review times, while continuing to monitor the efficiency for various permit types to improve further. In 2022, the Community Development Department was able to build upon the successes seen in late 2021, ensuring permit processing timelines were met and occasionally exceeding City standard timelines despite a very active year for permit submittals. These efforts resulted in the City having 0 over-target permits for the majority of the year, with the latter half reaching better than a 98% success rate with zero over target permits.
HE Program 2.1 INFILL SITE INVENTORY	Inventory document to be maintained at Community Development front counter and on City website, and to be updated on an annual basis.	Annually	The infill site inventory is maintained and kept at the Community Development front counter as well as online at https://www.visalia.city/depts/community_development/planning/planning_information/def ault.asp.
HE Program 2.2 INCENTIVES FOR DOWNTOWN HOUSING	Five units of residential converted from commercial space, or one new multi-family residential project per year.	Ongoing	In 2022 one building permit was issued (B214985) involving the creation of 80 new affordable dwelling units in the downtown. The City provided support in the applicant's pursuit of funding towards this project, and granted off-site development standard concessions affiliated with a density bonus request.
HE Program 2.3 INFRASTRUCTURE FUNDING PROGRAM	Apply for at least one qualifying grant	Annually	In 2022 the City applied for six grants related to infrastructure projects and was awarded one. The awards received were for the construction of an inclusive playground and water play area located on property situated between the Downtown and East Downtown area. Also in 2022, the CIty was awarded two grants for infrastructure projects that were applied for in 2021. One of these grants was for the construction of protected bicycle lanes and ADA compliant ramps along Houston Avenue that connects an area with a higher concentration of housing for lower income households to the Downtown.
HE Program 2.4 MIXED USE DEVELOPMENT	At least one qualifying project per year	Ongoing	In 2022 one building permit was issued for (B214985) involving the creation of 80 new affordable dwelling units in the downtown. This is a mixed use development that includes live/work lofts and 3,090 sq. ft. of office space.
HE Program 2.5 INCENTIVES FOR INFILL AFFORDABLE HOUSING	Provide a report to the Planning Commission on an annual basis that summarizes projects that have utilized the incentive program.	Annually	In 2022, there have been no developments that have met the requirements and/or utilized the incentive of the fee reduction.
HE Program 2.6 DOWNTOWN AND MIXED USE RESIDENTIAL DEVELOPMENT BY RIGHT	Complete Ordinance Amendment and study within one year of Housing Element certification.	2020	Completed in 2021. No changes in 2022.

HE Program 3.1 LEGISLATIVE RELIEF	N/A	Ongoing	The City Council has adopted positions related to State legislation (April 4, 2022) and Federal legislation (April 4, 2022), related to the promotion of the development of affordable, sustainable, and accessible housing, and the promotion of funding towards grants and housing.
	Develop 400 multi-family units (20 extremely low, 40 very low, 60 low, and 80 moderate, and 200 above moderate) over the four year period.	Annually	In 2022 the City issued permits for 691 multi-family units for a total of 901 units in the four-year period between 2020 and 2023.
HE Program 3.3 FIRST- TIME HOMEBUYER PROGRAM	Assist 50 low- and moderate-income first-time homebuyers over the next five years.	Ongoing	In 2022, five single-family homes began construction on NW 5th Avenue in Visalia with the use of City HOME funds. These homes will be provided to low-and-moderate income first time homebuyers.
HE Program 3.4 MORTGAGE REVENUE BONDS, MORTGAGE CREDIT CERTIFICATES, LOW INCOME TAX CREDITS	Provide technical assistance for the issuance of one mortgage revenue bond, mortgage credit certificate, or low income tax credit funded project.	Ongoing	In 2022, the Lofts Project utilized Low-Income Tax Credits and Tax-Exempt Bonds to construction an 80-unit multi-family affordable housing project.
HE Program 3.5 FHA/HUD/HCD AND FEDERAL HOUSING TRUST PROGRAMS OR AVAILABLE GOVERNMENT FUNDING	updated and any new information on	Ongoing	In 2022, the City solicited HUD HOME ARP and State LMIHAF funds for the development of affordable permanent housing.
HE Program 3.6 SECTION 8 HOUSING ASSISTANCE PROGRAM	Assist 550 lower income families with rental housing assistance annually.	Ongoing	In 2022, the City provided 17 households with emergency rental assistance to prevent homelessness.
PUBLIC OF LOCAL, STATE,	Conduct at least one presentation annually to the local real estate industry and/or nongovernmental organizations regarding available housing programs.	Ongoing	The City continues to market housing program on the City's website, social media outlets, and posting flyers at various city locations. The City also utilizing partner marketing channels, such as, King/Tulare Homeless Alliance and Visalia Chamber listserve posting.
HE Program 3.8 LOAN PROGRAM EDUCATION	Sponsor annual or bi-annual meetings to educate realtors, home buyers, and others to facilitate promotion of this program, as funding is available.	Ongoing	Online (City website) - Promoting the NW 5th Avenue single-family first time homebuyer homes under construction.
HE Program 3.9 AGENCY COORDINATION	Provide information on a recurring basis.	Ongoing	The City requests involvement from the Tulare County Association of Realtors and the Home Building Industry Association (BIA) on affordable housing projects. The City informs real estate organizations of incentive programs to encourage creation of affordable housing.

HE Program 3.10 AVAILABILITY OF FUNDING INCLUDING LAND WRITE-DOWN PROGRAMS	Complete ten applications under this program per year.	Ongoing	City receives annual CDBG and HOME funding from HUD. See 2022 Action Plan.
HE Program 3.11 CITY INCENTIVE FOR AFFORDABLE HOUSING	Identify non-governmental organization affordable housing providers and explore opportunities for land purchases.	Ongoing	In 2022, the City provided deferred financing and forgivable financing as an incentive for affordable housing.
HE Program 3.12 DEVELOPMENT FEE REDUCTION/DEFERMENT	Complete the review and present to City Council for final consideration.	2020	Completed in 2022. A review culminating in a report was completed and presented to City Council in June 2022. The report established the correct fee methodology to be applied toward ADUs. No new fee categories were necessary as a result of the study.
HE Program 3.13 NON- PROFIT HOUSING DEVELOPMENT CORPORATIONS	Provide assistance that will benefit 20 first-time lower income home buyers over the next four years.	Ongoing	HOME funds provided to Self-Help Enterprises (SHE) to construct 5 single-family homes for 5 first-time low-and-moderate income homebuyers.
HE Program 3.14 LAND BANKING	Participate in at least one land banking project during the current reporting period.	Ongoing	The City participated in one land banking project to construct an 80-unit mixed use complex for low-income households.
HE Program 3.15 PROMOTING ACCESSORY DWELLING UNITS	Achieve five accessory dwelling units per year for a total of twenty units over the next four years.	Ongoing	The City issued 16 permits for accessory dwelling units in 2022. In total the City had 22 permits for accessory dwelling units applied for in 2022.
HE Program 3.16 ASSISTED HOUSING PROJECTS ELIGIBLE FOR CONVERSION	Achieve 100% contact with all subject atrisk property owners one year before contract expiration.	Annually	The City has continued to monitor properties on an annual basis and has not found any properties at-risk of converting to market rate in 2022.
HE Program 3.17 PLANNING FOR LARGE SITES	Entitle a minimum of one master planned project on a RHNA listed site per year.	Ongoing	The City received two applications for development of specific planned areas, on 95 acres (Pratt Family Ranch) and on 500 acres, that include single- and multi-family components. One site (Carleton Acres) is RHNA listed. The expected approval date has been delayed to 2023 due to a court ruling which caused the City to prepare an agriculture preservation ordiance.
HE Program 3.18 TARGETING EXTREMELY- LOW INCOME DEVELOPMENTS	Annually pursue State and Federal funds to increase the supply of housing affordable to extreme low-income households.	Ongoing	In 2022, the City awarded \$1,800,000 in HOME-ARP and \$900,000 in LMIHAF funds for converstion of a 42-unit motel into permanent supportive housing units for extremely-low income households at 30% AMI or lower.

-			
CONSISTENCY WITH STATE DENSITY BONUS LAW	Complete review of state law and complete ordinance amendments, as necessary, within one year of Housing Element certification. Any applications received for density bonuses that are found to be consistent with state law shall be processed and implemented immediately.	2020 and ongoing	Completed in 2021. No changes in 2022. The City in 2022 received and deemed complete three applications utilizing a density bonus or incentives in accordance with State Density Bonus Law. The applications were pending approval in 2023.
AFFORDABLE HOUSING PROJECTS	Identify all projects meeting the criteria for affordable housing and ensure their first priority status to connect to the City sanitary sewer system.	Ongoing	Capacity and infrastructure are sufficient for all anticipated growth, including affordable housing.
HE Program 3.21 removed from Final Adopted Housing Element	Removed from housing element.	n/a	Removed from housing element.
	Complete Ordinance Amendment within one year of Housing Element certification.	2020	Completed in 2020. No changes in 2022.
HE Program 3.23 ACCESSORY DWELLING UNITS STANDARD BUILDING PLANS	Prepare standard building plans within two years of Housing Element certification.	2021	Completed in 2022. Three different plans for pre-approved ADU were completed and authorized by the City of Visalia in 2022. Information has been added to the City website. No building permits utilizing the pre-approved plans were issued in 2022., as the City is still promoting the plans.
HE Program 4.1 HOMEBUYER EDUCATION PROGRAM OUTREACH	Participate in at least one education seminar per year.	Ongoing	The City approved HOME funds for first time homebuyer assistance including homebuyer education. The City also promotes Self-Help Enterprises and CSET's homebuyer education services on the City website.
HE Program 4.2 FORECLOSURE PREVENTION RESOURCES	Verify that the correct and up to date information is posted to City website, and updated on at least an annual basis.	Ongoing	The City referrers clients to CSET, a partner organization for foreclosure counseling and services.
HE Program 4.3 NUISANCE ABATEMENT IN IMPACTED NEIGHBORHOODS	Secure properties subject to the emergency nuisance abatement within 72 hours of appraisal, and establish a tracking system for managing nuisance abatement cases and report activity in the Annual Report.	Ongoing	In 2022 the City boarded 26 unsecured properties. The City's goal has been to secure properties within 24 hours of appraisal, well in excess of the 72 hour objective.

HE Program 4.4 FORECLOSURE ACQUISITION	Annually pursue State and Federal funds when available.	Ongoing	In 2022, the City did not acquire any foreclosed properties since it did not have NSP program funding for this program.
HE Program 5.1 LEGISLATIVE AWARENESS	Participate in at least two legislative initiatives per year.	Ongoing	The City Council has adopted positions related to State legislation (April 4, 2022) and Federal legislation (April 4, 2022), related to the promotion of the development of affordable, sustainable, and accessible housing, and the promotion of funding towards grants and housing.
HE Program 5.2 HOMELESS SHELTER PROGRAM	Annually allocate funding to provide assistance and supportive services.	Ongoing	In 2022, the City provided \$118,000 in PLHA funds for a Seasonal Emergency Low-Barrier Shelter (Warming Center) for people experiencing homelessness. The City also awarded \$2,055,205 in CDBG funds, \$1,950,182 in PLHA, and \$200,000 in LMIHAF funds for the development of a 100-bed Low-Barrier Navigation Center.
HE Program 5.3 EMERGENCY SHELTERS PERFORMANCE STANDARDS AND EXPANSION OF ALLOWED USE	Complete Ordinance Amendment and study within one year of Housing Element certification.	2020	Completed in 2022. The Ordinance Amendment (Zoning Text Amendment No. 2021-09 / Ordinance No. 2022-05) was completed on April 18, 2022.
HE Program 5.4 REASONABLE ACCOMMODATION	Maintain an updated brochure at City offices and on City website	Ongoing	The brochure is available at the front counter and has been posted on the City website https://www.visalia.city/depts/community_development/planning/gp.asp. To date there have been no known requests by the public for reasonable accommodation.
HE Program 5.5 SENIOR RENTAL HOUSING	Facilitate the construction of at least 10 very low-income and 10 low-income senior units during the reporting period.	Ongoing	In 2022 no building permits were issued for senior rental units. One entitlement (Conditional Use Permit No. 2021-37) was approved in 2022 for 70 deed-restricted affordable senior units on a project site. No building permits were applied for in 2022 related to this project.
HE Program 5.6 REHABILITATION ASSISTANCE FOR SENIOR & DISABLED HOMEOWNERS	Provide assistance that will benefit ten (10) households per year over the next four years. Track assistance accomplishments and include in the Annual Report.	Ongoing	City assisted six (6) senior owned mobile home repairs in 2022.
HE Program 5.7 LARGE FAMILIES	Facilitate the construction of at least 16 units per year (8 very low- and 8 low-income units)	Ongoing	A total of 8 low-income dwelling units constructed in 2022 were units with three or more bedrooms. Three of the eight units were done without public funding assistance.
HE Program 5.8 HOUSING FOR PERSONS WITH DEVELOPMENTAL DISABILITIES	Annually pursue State and Federal funds that can support housing construction and maintenance of housing for persons with disabilities.	Ongoing	In 2022, the City installed ADA audible pedestrian crosswalk signals for the visual impaired residents, per the request of the Disability Advocacy Committee (DAC).

HE Program 5.9 EMPLOYEE HOUSING ALLOWED WHERE RAISING OF HORTICULTURAL ITEMS ALLOWED	Complete Ordinance Amendment within one year of Housing Element certification.	2020	Completed in 2020. No changes in 2022.
	Complete Ordinance Amendment within one year of Housing Element certification.	2020	Completed in 2020. No changes in 2022.
HE Program 6.1 HOUSING REHABILITATION PROGRAM	Assist 25 low-income homeowners during the course of the current reporting period.	Ongoing	In 2022, the City provided 6 single-family homes and 6 mobile homes with rehabilitation.
HE Program 6.2 LOW- INCOME RENTAL REHABILITATION PROGRAM	Assist twenty (20) low-income owners of rental properties with forgivable loans over the next four years.	Ongoing	In 2022, the City committed \$2.3 million in HOME funds and \$329,320 in LMIHAF for the development of an 80-unit affordable mixed use housing complex known as the Lofts Project.
HE Program 6.3 EMERGENCY REPAIRS PROGRAM	Assist twenty (20) low-income homeowners over the next four years.	Ongoing	In 2022, City utilized CDBG funds to Habitat for Humanity to administer a Emergency Repair & Accessibility Repair Program (ERAP) and Self-Help Enterprises (SHE) to administer a Senior Mobile Home Repair Program (SMHRP). Habitat for Humanity assisted 6 homes with emergency minor home repairs including addressing housing code violations. SHE assisted 6 mobile homes with essential repairs.
HE Program 6.4 ENFORCEMENT OF HOUSING AND BUILDING CODES	Complete fifty (50) residential inspections per year in response to substandard building or living condition referrals.	Ongoing	In 2022 Neighborhood Preservation responded to 180 substandard housing complaints.
HE Program 6.5 REHABILITATION AND ADAPTIVE REUSE	Assist with rehabilitating one unit per year.	Ongoing	The City did not receive any requests for assistance associated with the rehabilitation and/or adaptive reuse of historic residences during the evaluation period.
HE Program 6.6 HOUSING CONDITIONS SURVEY / REHABILITATION & DEMOLITION STUDY	Complete survey by the end of calendar year 2020.	2020	Completed in 2020.

HE Program 7.1 FAIR HOUSING	Maintain and update educational materials on the City website, and conduct one to two comparative rental tests per year based on need and available financing.	Ongoing	The City maintains its association with NGO partners in responding to housing discrimination complaints and contracts with an agency that performs side by side tenant lease tests to surface discrimination by leasing agents. The City has contracted together with Fair Housing Council of Central California to conduct fair housing training, surveys, and testing. Educational materials are posted on the City website https://www.visalia.city/depts/finance/housing_n_cdbg_services/fair_housing_protection/default.asp.
HE Programs 8.1 ENERGY & WATER CONSERVATION PROGRAM	Maintain and update educational materials on the City website.	Ongoing	Educational materials are posted on the City's websites: https://www.visalia.city/depts/administration/water_conservation/cal_water/default.asp https://www.visalia.city/depts/public_works/natural_resource_conservation/renewable_en ergy_n_conservation/resources_n_incentives.asp
HE Program 9.1 IMPLEMENTATION REPORTING	Provide an Annual Progress Report to State HCD every year during the course of the reporting period.	Annually	The City has prepared and submitted the Annual Housing Report to State HCD, each year between 2015 and 2021, and the State has acknowledged receipt of the report. The 2022 Annual Progress Report will be presented to the City Council on March 20, 2023 and sent to HCD by March 31, 2023.
HE Program 9.2 PROGRESS MEETING	Convene annual meeting to review the Housing Element implementation progress.	Annually	Meetings to review and assess Housing Element Implementation Progress were done sporadically through 2022.
HE Program 9.3 MONITOR THE RHNA LAND INVENTORY	Report annually on maintenance and status of the RHNA Land Inventory, and ensure that no net loss of RHNA medium and high development density sites.	On a project basis as needed, and annually	The City has provided annual reports on the status of the RHNA sites inventory as part of the City's preparation and submittal of the Annual Progress Report. A sufficient balance of all income categories continues to exist. There was no loss of land designated for these categories in 2022. Specifically there were no General Plan Amendment nor Change of Zone entitlements processed in 2022 resulting in a reduction of land designations for these income categories.
HE Program 9.4 MONITOR CONDITIONAL USE PERMIT (CUP) REQUIREMENT IMPACTS ON AFFORDABLE HOUSING	Report annually to the Planning Commission on the effect of CUP requirements compared with comparable "permitted by right" projects, and ensure that CUP processing and conditions do not adversely impact the project's affordability.	On a project basis as needed, and annually	A report for the 2022 year is anticipated to be presented to the Commission in April 2023.
HE Program 9.5 COMPREHENSIVE ANNUAL MONITORING PROGRAM	Include documentation of annual sales and rental rates in the Annual Progress Report.	Annually	The City uses the opportunity accorded by preparation of the Annual Progress Reports and the CAPER to annually evaluate the efficiency of the City's Housing programs. In addition the City conducts annual evaluations of existing home sales prices to compare to the established analysis by HUD. In 2022, the City also completed a Rent Comparability Market Study to determine rental rates.

AGENCY REPORTING AGENCY REPORTING PROGRAM HE Program 9.7 DISADVANTAGED UNINCORPORATED COMMUNITIES (DUC) HE Program 9.8 Link Transit Facilities and Services with Facilities and Services with HE Program 9.8 Link Transit Facilities and Services with Program 9.8 Link Transit Facilities and Services with Provide a report of Housing and inflatical activity information in the Annual Progress Annually Annually The City has provided Annual Reports that specify housing and activity information pertaining to the successor housing agency. Complete the City-initiated annexation of the K Road County Island by June 30, 2020, and continue to adhere to any current activity information pertaining to the successor housing agency. Complete the City-initiated annexation of the K Road County Island by June 30, 2020 and ongoing the completion of the annexation. Community information pertaining to the successor housing agency. Complete the City-initiated annexation of the K Road County Island by June 30, 2020 and ongoing the completion of the annexation. Complete the City-initiated annexation of the K Road County Island by June 30, 2020 and ongoing the completion of the annexation. Complete the City-initiated annexation of the K Road County Island by June 30, 2020 and ongoing the completion of the annexation. Complete the City-initiated annexation of the K Road County Island by June 30, 2020 and ongoing the completion of the successor housing agency. Complete the City-initiated annexation of the K Road County Island by June 30, 2020 and ongoing the completion of the successor housing and activity information pertaining to the successor housing and activity information pertaining to the successor housing agency.				
the K Road County Island by June 30, 2020, and continue to adhere to any current requirements of Senate Bill 244 following the completion of the annexation. COMMUNITIES (DUC) Continually maintain map exhibits and policies in transportation related plans, as needed, to ensure optimal linkages with current high density residential nodes and RHNA land inventory sites to jobs, commerce, and service hubs. Completed in 2020. Completed in 2020. Completed in 2020. Map exhibits have been placed in the City's Active Transportation Plan and the Long Range Transit Plan that illustrate optimal linkages, defined by the locations of current high density residential nodes and RHNA land inventory sites to jobs, commerce, and service hubs.	HE Program 9.6 SUCCESSOR HOUSING AGENCY REPORTING PROGRAM	activity information in the Annual Progress	Annually	
HE Program 9.8 Link Transit Facilities and Services with RHNA Land Inventory Sites policies in transportation related plans, as needed, to ensure optimal linkages with current high density residential nodes and RHNA land inventory sites to jobs, commerce, and RHNA land inventory sites to jobs, commerce, and service hubs.	HE Program 9.7 DISADVANTAGED UNINCORPORATED COMMUNITIES (DUC)	the K Road County Island by June 30, 2020, and continue to adhere to any current requirements of Senate Bill 244 following	2020 and ongoing	Completed in 2020.
	HE Program 9.8 Link Transit Facilities and Services with RHNA Land Inventory Sites	policies in transportation related plans, as needed, to ensure optimal linkages with current high density residential nodes and RHNA land inventory sites to jobs,	Ongoing	Range Transit Plan that illustrate optimal linkages, defined by the locations of current high density residential nodes and RHNA land inventory sites to jobs, commerce, and

 Jurisdiction
 Visalia

 Reporting Period
 2022
 (Jan. 1 - Dec. 31)

 Planning Period
 5th Cycle
 1231/2015 - 1231/2023

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Note: "+" indicates an optional field Cells in grey contain auto-calculation formulas

Planning Period	Stn Cycle	12/31/2015 - 12/31/2023	ı			(CCR Title 25	90202)		
			Com	mercial Develon	Tab	le E	o GC Section 65915.7		
	Project	Identifier	30	moroidi Boroiop		cted as Part of Agre	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved	
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
ummary Row: Star	t Data Entry Below								
							-	-	-
							-	-	
							-	-	

Jurisdiction	Visalia	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)

Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type				Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1*. For detailed reporting requirements, see the chcklist here:	
	Extremely Low- Income ⁺	Very Low-Income ⁺	Low-Income [†]	TOTAL UNITS ⁺	Extremely Low- Income ⁺	Very Low- Income ⁺	Low-Income [†]		https://www.hcd.ca.gov/community- development/docs/adequate-sites-checklist.pdf
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income			-						

Jurisdiction	Visalia	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F2

Above Moderate Income Units Converted to Moderate Income Pursuant to Government Code section 65400.2

For up to 25 percent of a jurisdiction's moderate-income regional housing need allocation, the planning agency may include the number of units in an existing multiflamily building that were converted to deed-restricted rental housing for moderate-income households by the imposition of affordability covernants and restrictions for the unit. Before adding information to this table, please ensure housing developments meet the requirements described in Government Code 65400 2(b).

Project Identifier					Unit Types Affordability by Household Incomes After Conversion				Units credited toward Above Moderate RHNA		Notes					
		1			2 3 4					5		6				
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (2 to 4,5+)	Tenure R=Renter	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Total Moderate Income Units Converted from Above Moderate	Date Converted	<u>Notes</u>
Summary Row: St	art Data Entry Below	ı														
					1			1			l	l				

Jurisdiction	Visalia		NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting
Reporting Period	2022		jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.
Planning Period	5th Cycle	12/31/2015 - 12/31/2023	ANNUAL ELEMENT PROGRESS REPORT

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Housing Element Implementation

Table G Locally Owned Lands Included in the Housing Element Sites inventory that have been sold, leased, or otherwise disposed of								
		Identifier						
1				2	3	4		
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID [†]	Realistic Capacity Identified in the Housing Element	Entity to whom the site transferred	Intended Use for Site		
Summary Row: Sta	rt Data Entry Below							
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Jurisdiction	Visalia	
Reporting Period	2022	(Jan. 1 - Dec. 31)

NOTE: This table is meant to contain an invenory of ALL surplus/excess lands the reporting jurisdiction

Note: "+" indicates an optional field Cells in grey contain auto-calculation owns

Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation										
	For Tulare County jurisdictions, please format the APN's as follows:999-999-999									
			Table H							
		Locally O	wned Surplus Sit	es						
	Parcel Identifier	Designation	Size	Notes						
1	2	3	4	5	6	7				
APN	Street Address/Intersection	Existing Use	Number of Units	Surplus Designation	Parcel Size (in acres)	Notes				
Summary Row: Start		1								
094-190-005-000	1134 E Center	Vacant		Surplus Land	1.34	Designation Date: 03/24/2022				
094-293-004-000 094-100-002-000	NEC Garden & Main St 701 E Race	Public Facilities Public Facilities		Surplus Land Surplus Land	0.23 3.26	Designation Date: 12/09/2019 Designation Date: 09/28/2020				
094-250-020-000	700 Murray St	Public Facilities		Surplus Land	1.47	Designation Date: 09/28/2020 Designation Date: 09/28/2020				
094-221-010-000	SEC Acequia & Santa Fe	Public Facilities		Surplus Land	0.51	Designation Date: 09/10/2020				
097-241-003-000	SEC East Tulare Ave & Santa Fe	Vacant		Surplus Land	0.51	Designation Date: 05/17/2021				
103-120-085-000	McAuliff, South of Houston	Vacant	· 	Surplus Land	1.4	Designation Date: unknown				
103-320-060-000	SEC Douglas & McAuliff	Vacant		Surplus Land	5.7	Designation Date: 03/24/2022				
103-320-059-000	SWC Douglas & McAuliff	Vacant		Surplus Land	4.9	Designation Date: 03/24/2022				
094-240-049-000	SWC Burke & School	Vacant		Surplus Land	3.56	Successor Agency Property				
094-190-016-000 094-190-018-000	Near Ben Maddox on Center SWC Goshen & Ben Maddox	Vacant Vacant		Surplus Land Surplus Land	0.54 0.45	Successor Agency Property Successor Agency Property				
094-180-012-000	SWC Goshen & Ben Maddox SWC Goshen & Ben Maddox	Vacant		Surplus Land Surplus Land	3.98	Successor Agency Property Successor Agency Property				
094-055-001-000	SEC Houston & NW 5th	Vacant		Surplus Land	0.09	Successor Agency Property				
094-180-009-000	SEC Goshen & Burke	Vacant		Surplus Land	4.1	Successor Agency Property				
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Jurisdiction	Visalia	NOTE: SB 9 PROJECTS ONLY. This table on
Reporting Period	2022	needs to be completed if there were lot splits applied for pursuant to Government Code 66411.7 OR units constructed pursuant to 65852.21.
Diameter Deviced	Eth Code	Units entitled/permitted/constructed must als be reported in Table A2. Applications for the

ANNUAL ELEMENT PROGRESS REPORT optional field

Cells in grey contain auto-calculation formulas

Housing Element Implementation

	Ur	nits Constructed	Pursuant to Gove	ernment Code 65852	Table I 21 and Applicati	ons for Lot Splits	s Pursuant to Go	vernment Code	66411.7 (SB9)
		Identifier		Project Type	Date			onstructed	
		1		2	3			4	
APN	Street Address	Project Name [*]	Local Jurisdiction Tracking ID*	Activity	Date	Very Low Income	Low Income	Moderate Income	Above Moderat Income
ummary Row: Sta	art Data Entry Below								
	1								
	-								
	1								
-	1								
	1								
	1								
			1	l					

Jurisdiction	Visalia	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code65915(b)(1)(F)

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

	Not
Cells	in g

							Table J					
		Student I	housing developn	nent for lower income	students for whi	ch was granted	a density bonus	pursuant to subp	aragraph (F) of	paragraph (1) of	subdivision (b) of	Section 65915
Project Identifier Project Type Date Units (Beds/Student Capacity) Approved						y) Approved						
	1	1		2	3				4			
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Unit Category (SH - Student Housing)	Date	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income
Summary Row: Start	t Data Entry Below											

Annual Progress Report January 2020

Jurisdiction	Visalia	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

Building Permits Issued by Affordability Summary							
Income Level		Current Year					
Very Low	Deed Restricted	50					
Very Low	Non-Deed Restricted	9					
Low	Deed Restricted	34					
LOW	Non-Deed Restricted	623					
Moderate	Deed Restricted	0					
Moderate	Non-Deed Restricted	411					
Above Moderate		124					
Total Units		1251					

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	C	0	0
SFD	626	544	651
2 to 4	C	76	43
5+	402	615	0
ADU	C	16	8
MH	C	0	0
Total	1028	1251	702

Housing Applications Summary	
Total Housing Applications Submitted:	21
Number of Proposed Units in All Applications Received:	1,890
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

Jurisdiction	Visalia	
Reporting Year	2022	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT

Local Early Action Planning (LEAP) Reporting

(CCR Title 25 \$6202)

Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.

Total Award Amount 246,000.00 Total award amount is auto-populated based on amounts entered in rows 15-26.

Task	\$ Amount Awarded	\$ Cumulative Reimbursement Requested	Task Status	Other Funding	Notes
Housing Element Update	\$155,000.00	\$0.00	In Progress	Local General Fund	Approximately 25% work completed in 2022; 100% completion planned in 2023. 2022 tasks completed included circulating RFP, entering into contract with consultant, establishing project website, holding community meeting and advisory committee meetings.
Accessory Dwelling Unit Ordinance	\$28,500.00	\$0.00	In Progress	Local General Fund	2022 tasks completed included circulating RFP and entering into contract with consultant. Work on preparation of ordinance has begun in 2023.
Planned Residential Development Ordinance	\$62,500.00	\$0.00	In Progress	Fund	2022 tasks completed included circulating RFP and entering into contract with consultant. Work on preparation of ordinance has begun in 2023.

Summary of entitlements, building permits, and certificates of occupancy (auto-populated from Table A2)

Completed Entitlement Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	115
Voly Low	Non-Deed Restricted	10
Low	Deed Restricted	40
	Non-Deed Restricted	248
Moderate	Deed Restricted	0
	Non-Deed Restricted	2
Above Moderate		619
Total Units		1034

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	50
	Non-Deed Restricted	9
Low	Deed Restricted	34
	Non-Deed Restricted	623
Moderate	Deed Restricted	0
	Non-Deed Restricted	411
Above Moderate		124
Total Units		1251

Certificate of Occupancy Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	5
Low	Deed Restricted	0
	Non-Deed Restricted	47
Moderate	Deed Restricted	0
	Non-Deed Restricted	512
Above Moderate		138
Total Units		702



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0098 Agenda Date: 3/20/2023 Agenda #: 5.

Agenda Item Wording:

Consider reauthorization of Stage 2 of the Visalia Water Conservation Ordinance and adopt resolution 2023-06.

Deadline for Action: 4/4/2023

Submitting Department: Administration

Contact Name and Phone Number: Rhett Anderson, (559) 713-4530

Department Recommendation:

Due to persistent and alternating dry and wet years in the Central Valley, it is the recommendation of staff to re-authorize stage 2 of the Water Conservation Ordinance by resolution 2023-06.

Background Discussion:

In the western United States, specifically in California, alternating cycles of drought and heavy precipitation are typical. Tulare County specifically has observed record years of drought and saw a record low of precipitation in water year 2021 (October 1, 2020 - September 30, 2021). As a result, City Council voted to move into Stage 2 of the Visalia Water Conservation Ordinance (Ordinance), "Water Alert". As per the ordinance, "Stage 2 shall terminate one year after implementation unless reauthorized by the City Council by resolution." Stage 2 was then re-authorized by City Council on April 4, 2022 due to persistent drought conditions.

Stage 2 of the Ordinance is characterized by restrictions on outdoor water use. Restrictions include reduction of total watering days per week from 3 days per week to two days per week as compared to stage 1, and a complete elimination of irrigation of ornamental turf grasses in the months of December, January, and February. Additional rules and regulations can be found in Section 13.20.070.B. of the attached Ordinance. The varying stages of the Ordinance were intended to reduce the outdoor use of water resources available to the City of Visalia (City). Which, in turn, reduce the overall consumption of water resources and reduce the negative impacts of overdraft. As a groundwater reliant municipality, the City derives its water supply almost exclusively from the underground aquifer. When water resources are extracted from the underground aquifer more quickly than they can be replaced, it is considered overdraft and can have a multitude of negative impacts associated with it. The City is particularly vulnerable to groundwater depletion, subsidence, and impacted groundwater quality.

The City has monitored its groundwater levels since the mid-1900s. Over the course of the last 70 years, a significant decrease in groundwater elevation has been observed in the underlying aquifer beneath the City. The lowering groundwater table has been attributed to overdraft. Of the many efforts of the city and surrounding agencies to reduce groundwater consumption, limiting irrigation days for Visalia residents has been one way the City has been able to reduce its overall

File #: 23-0098 Agenda Date: 3/20/2023 Agenda #: 5.

consumption.

The City has also taken efforts to manage its water resources in a responsible and effective manner. One way of maximizing the utility of water extracted from the aquifer is to recycle all sewage water and exchange this tertiary water for clean supplemental surface water. However, the City is unable to re-capture the vast majority of water used outdoors, as this water is eventually returned into the atmosphere where it is carried beyond the subbasin where it can no longer benefit the areas within city limits. Because the City knows know how much water is used indoors by residents of the City, staff can also calculate the amount of water used outdoors by comparing the amount of water extracted and the amount of water returned to the Wastewater Treatment Facility. In 2022, Visalia residents used approximately 57% of total water produced to irrigate ornamental landscapes. Because water used outdoors for the purposes of landscape irrigation water that is considered irrecoverable, it is crucial that the city continue to implement key water conservation policies and programs to continue to reduce water waste and improve water use efficiency.

The Division of Water Conservation recognizes that Water Year 2023 has produced significantly more precipitation than in years prior, but there is concern that alternating between water conservation stages too drastically or often can lead to confusion of appropriate watering days and regulations. In addition, the City is part of the Kaweah Sub-basin which is a severely over-drafted basin, and must meet strict State water regulations. Therefore, it is believed that a less restrictive stage of the water conservation ordinance should only be adopted if/when annual precipitation demonstrates a more stable pattern, and conditions of the chronically lowering groundwater table improve.

Fiscal Impact:N/A

Prior Council Action:

April, 2022 - Stage 2 of the Water Conservation Ordinance was re-authorized by City Council by recommendation of staff. March, 2021 - Stage 2 of the Water Conservation Ordinance was implemented, by recommendation of staff. July 2020 - City Council approved a transition into Stage 2 of the Water Conservation Ordinance to take effect in March of 2021. October 2019 - City Council approved minor amendments to the Water Conservation Ordinance. August 2017 - City Council approved a transition into Stage 1 of the Water Conservation Ordinance. April 2017 - Reauthorization of Stage 2 of the Water Conservation Ordinance. May 2016 - The City Council adopted the new Water Conservation Ordinance and reimplementation of Stage 2. June 2015 - Adoption of the revised Water Conservation Ordinance and implementation of Stage 2.

Alternatives: City Council may choose to take no action on this item, consequentially reverting the City of Visalia back to Stage 1 of the water conservation ordinance.

Recommended Motion (and Alternative Motions if expected):

I move to adopt Resolution 2023-06 reauthorizing stage 2 of the Visalia Water Conservation Ordinance.

RESOLUTION 2023-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA REAUTHORIZING STAGE 2 OF THE WATER CONSERVATION ORDINANCE

WHEREAS, the City of Visalia Water Conservation Ordinance was enacted by the City Council to control unnecessary consumption of the available potable water supplies in the City; and

WHEREAS, the City Council implemented Stage 2 due to the ongoing drought, declarations of drought emergency by both the State of California and the County of Tulare, and mandatory restrictions on urban water use; and

WHEREAS, the 2022/23 snowpack was approximately 260% of historical average and the drought continues into 2023; and

WHEREAS, the State of California has extended mandatory urban water reductions including on the California Water Service Company, the City's urban water supplier; and

WHEREAS, the City Manager recommends that Stage 2 of the Water Conservation Ordinance be extended for another year to further reduce the City of Visalia's water use for the reasons stated;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Visalia hereby reauthorizes Stage 2 of the Water Conservation Ordinance effective April 4, 2023, through April 4, 2024.

PASSED AND ADOPTED: March 20, 2023 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 2023-06 passed and adopted by the Council of the City of Visalia at a regular meeting held on March 20, 2023.

Dated: March 20, 2023 LESLIE B. CAVIGLIA, CITY CLERK

By Michelle Nicholson, Chief Deputy City Clerk

RESOLUTION 2023-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA REAUTHORIZING STAGE 2 OF THE WATER CONSERVATION ORDINANCE

WHEREAS, the City of Visalia Water Conservation Ordinance was enacted by the City Council to control unnecessary consumption of the available potable water supplies in the City; and

WHEREAS, the City Council implemented Stage 2 due to the ongoing drought, declarations of drought emergency by both the State of California and the County of Tulare, and mandatory restrictions on urban water use; and

WHEREAS, the State of California has extended mandatory urban water reductions including on the California Water Service Company, the City's urban water supplier; and

WHEREAS, the City Manager recommends that Stage 2 of the Water Conservation Ordinance be extended for another year to further reduce the City of Visalia's water use for the reasons stated:

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Visalia hereby reauthorizes Stage 2 of the Water Conservation Ordinance effective March 20, 2023, through March 20, 2024.

PASSED AND ADOPTED:	LESLIE B. CAVIGLIA, CITY CLERK
STATE OF CALIFORNIA) COUNTY OF TULARE) ss. CITY OF VISALIA)	
	the City of Visalia, certify the foregoing is the land adopted by the Council of the City of ch 20, 2023.
Dated:	LESLIE B. CAVIGLIA, CITY CLERK
	By Michelle Nicholson, Chief Deputy City Clerk



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0071 Agenda Date: 3/20/2023 Agenda #: 6.

Agenda Item Wording:

Authorize the City Manager to: 1) Enter into a contract with Don Berry Construction to furnish and install a video detection system at the intersection of Plaza Drive and Riggin Avenue for a not to exceed amount of \$75,000, and appropriate \$75,000 from the Measure R Local Fund (Fund 131), 2) Appropriate \$55,000 from the General Fund (Fund 001), purchase video detection equipment to replace damaged video detection equipment at the intersection of Akers Street and Riggin Avenue, and the purchase of a spare video detection system for future replacement of any damaged or failing video detection equipment in the future.

Deadline for Action: None

Submitting Department: Administration - CIP Engineering

Contact Name and Phone Number:

Chantha Chap, Civil Engineer, Chantha.Chap@Visalia.City, 713-4418

Eric Bons, Senior Civil Engineer, Eric.Bons@Visalia.City, 713-4350

Frank Senteno, City Engineer, Frank.Senteno@Visalia.City, 713-4331

Nick Mascia, Assistant City Manager, Nick.Mascia@Visalia.City, 713-4323

Department Recommendation:

Staff recommends City Council authorize the City Manager to:

- 1. Enter into a contract with Don Berry Construction to furnish and install a video detection system at the intersection of Plaza Drive and Riggin Avenue for a not to exceed amount of \$75,000;
- 2. Appropriate \$75,000 from the Measure R Local Fund (Fund 131) for the new video detection at Plaza and Riggin;
- 3. Appropriate \$55,000 from the General Fund (Fund 001) to purchase video detection equipment. \$21,929 will be used to replace and install damaged video detection equipment at the intersection of Akers Street and Riggin Avenue caused by an accident and \$33,071 will be used to purchase a spare video detection system for future use in the event another traffic signal location needs immediate replacement due to damage or failing video detection equipment.

Summary:

Staff is seeking to replace the in-pavement vehicle detection system at the intersection of Plaza Drive and Riggin Avenue with a video detection system. The in-pavement detection system has maintenance issues due to the large amount of truck traffic at this intersection. In-pavement detection is not designed to handle large volumes of heavy truck traffic which causes the pavement to rut resulting in malfunctioning detection equipment. This will be a capital improvement project to improve the intersection.

Staff is also seeking to replace damaged video detection equipment at the intersection of Akers Street and Riggin Avenue which was damaged by an automobile accident recently. The traffic signal cabinet (minus the detection equipment) was replaced following the automobile accident to make the traffic signal operational.

File #: 23-0071 Agenda Date: 3/20/2023 Agenda #: 6.

However, the replacement traffic signal cabinet was not equipped with the auxiliary video detection equipment necessary for the operation of the video detection system. It is anticipated the replacement equipment will be installed within six weeks after the equipment is received. The City will be pursuing a cost recovery for the repair of the damaged traffic signal equipment through the City's subrogation process. Furthermore, the City did not possess spare equipment like the traffic signal cabinet and controller.

The video detection system is used to identify the presence of vehicles as they approach an intersection or vehicles that are waiting at an intersection. The detection of vehicle provides the necessary information to the traffic signal controller which then allots the predesignated time based on the volume of traffic detected in any of the intersection approaches. This makes for a reactive intersection based on the traffic volume demands and therefore provides for a more efficiently operating traffic signal. The video detection system is not utilized for enforcement of red light runners, but strictly to determine the presence of vehicles which is used for the operation of the traffic signal.

And lastly, Staff also is seeking to purchase a spare video detection system for future replacement of any damaged or failing video detection system at any one of the City's 46 signalized intersections utilizing this specific video detection system.

Background Discussion:

Plaza Drive at Riggin Avenue

The existing in-pavement vehicle detection equipment has failed due to the degradation of the roadway pavement caused by the truck traffic. A video detection system will provide for greater flexibility to detect vehicles, allow for future pavement repair without the need to install or reinstall in-pavement vehicle detectors, and provide for a more vehicle responsive traffic signal.

The replacement of the existing in-pavement vehicle detection system with the video detection system is consistent with the other video detection systems deployed throughout the City of Visalia. The City's Traffic Safety maintenance staff is familiar with the Iteris video detection system which is currently deployed at 46 of the 132 existing signalized intersections throughout the city. Standardizing the video detection system provides for ease of maintenance and operations without having to maintain a supply of replacement components for multiple manufactures of video detection systems.

Don Berry Construction recently installed video detection systems at six intersections associated with the Pavement Rehabilitation of Walnut Avenue and Murray Avenue project. The contractor has agreed to extend the pricing for this additional intersection at the same unit price as the six completed intersections. Unit prices were competitively bid under the pavement rehabilitation project, therefore, staff recommends to attaching to this agreement which is an allowed procurement method. This method allows for the installation of the equipment several months sooner than if it was rebid.

Video Detection Equipment

The traffic signal cabinet at the intersection of Akers Street and Riggin Avenue was recently damaged due to an automobile accident. The accident required the replacement of the entire traffic signal cabinet which houses all the equipment necessary for the operation of the traffic signal. This replacement is requested to be funded by the General Fund. Traffic maintenance is funded in the General Fund and is responsible for all traffic signal maintenance.

The damaged traffic signal cabinet was replaced with a spare traffic signal cabinet provided by the City's Public Works Department in the days following the automobile accident. However, the replacement traffic signal cabinet did not have all the auxiliary equipment needed to support the existing video detection equipment at this intersection. The purchasing and installation of the damaged components is needed to replace the damaged auxiliary equipment and for the operation of the existing video detection cameras.

File #: 23-0071 Agenda Date: 3/20/2023 Agenda #: 6.

The costs incurred for the repair and replacement of the damaged traffic signal equipment is part of the cost recovery through the City's subrogation process from the accident that caused the damage. A list of the video detection components associated with the repairs is listed in Attachment 2. The City has a contract with a local electrical construction company to supplement the City's traffic signal maintenance personnel make emergency repairs to existing signalized intersections and streetlights in order to minimize the impacts to the traffic flow.

The procurement of a complete video detection system, see Attachment 3, will be placed 'on the shelf' for future use. When utilized it will be to replace any damaged or failing video detection equipment currently at any of the City's existing 46 signalized intersections currently operating with the Iteris video detection system. The procurement of a complete video detection system has had a lead time ranging between 12 weeks to 26 weeks. The spare equipment will allow for a quicker repair of failing equipment, minimize the impact to the motoring public, and allow for the traffic signal to operate in a more efficient manner. Standardizing the video detection system provides for ease of maintenance and operations without the need to maintenance a supply of replacement components for multiple manufactures of video detection systems.

Fiscal Impact:

The furnishing and installation of the video detection system at the intersection of Akers Street at Riggin Avenue and the procurement of the video detection equipment is summarized in the budget table below.

Plaza Drive at Riggin Avenue (New CIP)

Requested Funding:

Measure R Local Fund (131)		<u>\$75,000</u>
	Total Requested Funding:	\$75,000
acto:		

Project Costs:

70101		
Furnish and install video detection	system	\$69,850
Staff time		<u>\$ 5,150</u>
	Total Project Cost:	\$75,000

Video Detection Equipment (New CIP)

Requested Funding:

General Fund (001)		<u>\$55,000</u>
	Total Requested Funding:	\$55,000

Project Costs:

Replacement of damaged video detection equipment	\$13,540
Labor to install replacement equipment	\$ 8,389
Iteris video detection system (spare equipment)	<u>\$33,071</u>
Total project cost:	\$55,000

Prior Council Action:

None

Alternatives:

None recommended.

Recommended Motion (and Alternative Motions if expected):

File #: 23-0071 Agenda Date: 3/20/2023 Agenda #: 6.

I move to authorize the City Manager to enter into a contract with Don Berry Construction to furnish and install a video detection system at the intersection of Plaza Drive and Riggin Avenue for a not to exceed amount of \$75,000, and appropriate \$75,000 from the Measure R Local Fund (Fund 131); and appropriate \$55,000 from the General Fund (Fund 001) for the purchase video detection equipment as identified within the staff report.

Environmental Assessment Status:

None

CEQA Review:

Categorical Exemption, Section 15301(c)

Attachments:

- 1. Attachment 1 Quote to furnish and install video detection system at Plaza Dr. and Riggin Ave.
- 2. Attachment 2 Replacement Video detection equipment for Akers St. at Riggin Ave.
- 3. Attachment 3 List of equipment Video detection system components

Attachment - 1

Quote to Furnish & Install Video Detection System at Plaza Drive and Riggin Avenue Traffic Loops Crackfilling, Inc.

946 S. Emerald Street, Anaheim CA 92804 • Tel: (714) 520 4026 Fax: (714) 520 4027 License No. 652956 • Class C-10 & C-32 • SBE No. 0016691 • DBE & UDBE No. 38033 • Union Contractor DIR Registration No. 1000003794 • Expiration Date: 06/30/2022 Email: Admin@trafficloops.net or Estimating@trafficloops.net

Quotation 1 2/23/2023 Date:

Chantha Chap Attn: Owner: City of Visalia

Contact: (559) 713-4418 / Email: Chantha.Chap@visalia.city

BID ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	ITEM TOTAL
	Intersection: Plaza & Riggin Ave Furnish and Install Video Detection Systems	1	LS	69,850.00	69,850.00

Quote is valid for 90 days from the date of this proposal.

\$ **TOTAL BID AMOUNT:** 69,850.00

Our quote includes:

- 1- Insurance coverage up to \$1 million, general aggregate up to \$2 million, umbrella up to \$5 million
- 2- Traffic control for TLC operations only

Our quote excludes:

- 1- General Excess Liability for \$5 million (If needed, cost for extra protection is \$3,000.00)
- 2- Bond fee (If required, Prime Contractor to pay bond rate of 2.5%), permit fee, utilities fee, advance sign posting of any kind, or notifying residents
- 3- Weekend work
- 4- Traffic control plans

All inclusions and exclusions are to be incorporated into our contract. If either party becomes involved in litigation or arbitration arising out of this contract, the court or arbitration panel shall award attorney's fees and costs to the prevailing party.

Please call **Ramiro Rivero** at (714) 520-4026 if you have any questions or need more information.

Page 1 of 2 70

[•]By accepting our quote you agree to the Terms & Conditions shown on Page 2.

Traffic Loops Crackfilling, Inc.

946 S. Emerald Street, Anaheim CA 92804 • Tel: (714) 520 4026 Fax: (714) 520 4027

General Terms and Conditions:

- Quote is valid for 90 days from the date of this proposal.
- •In case of discrepancy between the unit price and the total set forth for a unit basis item, the unit price shall prevail.
- 15 days notice required for scheduling.
- •24 hours notice required for rescheduling.
- •Site must be ready with cat-track, permanent striping, grinding, asphalt, approvals, etc. prior to loop installation.
- Access to the job site must be furnished by Contractor, the general contractor, lessee or other party ordering work.
- Additional charges may incur for the following:
 - a) Site is not ready (for TLC's scope of work) the day of scheduled work or delays
 - b) Extra move-ins
 - c) When minimum move-in requirements are not met (if noted in quote)
- •All changes to the original scope of work or proposed extra work must be directed by the Contractor in writing prior to Traffic Loop Crackfilling, Inc. (TLC) before performing this work. No extra work or additional work will be performed without written authorization.
- This quote will not be valid if there are any changes or deletions of any item post bid and will need revised pricing.
- •Total bid must be accepted (must use all line items) unless otherwise noted or agreed to. If you need revised pricing for only a portion of the work, contact Estimator.
- •TLC will not be impacted by Liquidated Damages assessed by the Contractor / Agency due to an inadequate amount of time to complete TLC operations.
- •Contractor to provide monthly progress payments for all completed work in accordance with the bid pricing schedule. Monthly payments must be received in full by TLC no later than 10 calendar days after the Contractor receives payment from Owner for our completed work.
- Retention % is to be withheld only as per the Owner's requirements.
- •Contractor hereby agrees that time shall be of the essence in regard to all payments provided for herein, and if any payment is not made when due, Contractor agrees to pay all collection costs and expenses including costs of suit and any related attorney's fees and costs and also hereby waives the benefit of any statute of limitation that would prohibit an action of TLC to enforce the terms and conditions of this Contract including but not limited to any right to recovery of attorney's fees and costs. The laws of the State of California shall control all aspects of this contract except as to lien matters, which will be governed by the laws of the state where the subject property is located.
- •TLC requires a written contract, purchase order or signed quote prior to the start of work.
- •The language and terms used in this exhibit supersede any conflicting terms in the Subcontract Agreement.

Page 2 of 2 71



Iteris, Inc. 1700 Carnegie Avenue Suite 100 Santa Ana, CA 92705-5551 Michael Girardot RodefX

Phone:

Email: rodefx@verizon.net

EQUIPMENT QUOTATION

Quote #00011867

January 26, 2023

Equipment for the Intersection of Akers Street at Riggin Avenue

Eric Bons 315 E. Acequia Ave Agency: Visalia, City of

Contractor:

Delivery Term: FOB Destination **Payment Terms:** NET 30 Days

Sales Rep:

Fax or email Purchase Orders to: 949-270-9441 or <u>rsorders@iteris.com</u>. Please include Quote Number on your Purchase Order. Prices are valid for 30 days from the date of quote unless extended in writing. Prices on this quote include material only unless otherwise stated. For questions regarding this quotation, please contact the representative listed above.

Product Name	Product Description	Qty	Unit Price	Ext. Price
Adjustable Swivel	Mon-Brkt-Swvl Adjustable Swivel Monitor Bracket	1	\$165.00	\$165.00
Monitor Bracket				
CAT5E-SHLD-CABLE	1000 Ft. Spool, Outdoor, UV Resistant, CAT5E Bulk Cable	1	\$190.00	\$190.00
MON-10LCD-SL	10 in. Color LCD Monitor, Sunlight Viewable, 2 composite video inputs, 1 VGA input, 1 HDMI input (NTSC/PAL)	1	\$485.00	\$485.00
NEXT-CCU-PAK	Vantage Next CCU Unit, 1U box, supports up to 2 NEXT-DVPs (ordered separately). Includes NEXT-CCU-SHIPKIT (NEMA cabinet mounting bracket, 2.4GHz rubber duck antenna, USB optical mouse, 6 ft. HDMI cable, 5 ft. Cat5e patch cable, 4 x 3 ft. Cat5e patch cables, screwdriver, insulated crimp-on ground lug, 6 ft. power cord)	1	\$3,850.00	\$3,850.00
NEXT-DVP-PAK	VantageNext Dual Video Processor (supports 2x NEXT-CAM). Includes NEXT-DVP-SHIPKIT	2	\$3,850.00	\$7,700.00
TS2 CABLE	SDLC Cable for TS2 VRACK	1	\$90.00	\$90.00
				\$12,480.00

Important Notes:

This quotation and any resulting order are subject to Iteris' Roadway Sensor Products Standard Terms and Conditions of Sale attached hereto or available at http://www.iteris.com/RS-Std-TC.pdf, which are incorporated herein by this reference.

RodefX is an authorized Iteris Sales Representative for Iteris Roadway Sensors products and may sign quotations on Iteris' behalf with a total sales price of \$80,000 or less. Quotations that exceed \$80,000 in total price must be approved by an Authorized Iteris Signature.

\$12,480.00	SUBTOTAL
	FREIGHT
\$1,060.80	TAX
\$13,540.80	TOTAL:

Authorized Iteris Signature

Date

Michael Girardot, RodefX



Iteris, Inc. 1700 Carnegie Avenue Suite 100 Santa Ana, CA 92705-5551 Michael Girardot RodefX

Phone: Email: rodefx@verizon.net **EQUIPMENT QUOTATION**

Quote #00012195

February 22, 2023

VIDEO DETECTION SYSTEM

Eric Bons 315 E. Acequia Ave Visalia, California 93291 Agency: Visalia, City of

Contractor:

Project Name: ENGQUOTE16022023VISALIA8APPROACH

Reference: ENGQUOTE16022023VISALIA

Delivery Term: FOB Destination Payment Terms: NET 30 Days

Sales Rep:

Fax or email Purchase Orders to: 949-270-9441 or rsorders@iteris.com. Please include Quote Number on your Purchase Order. Prices are valid for 30 days from the date of quote unless extended in writing. Prices on this quote include material only unless otherwise stated. For questions regarding this quotation, please contact the representative listed above.

Product Name	Product Description	Qty	Unit Price	Ext. Price
Adjustable Swivel Monitor Bracket	Mon-Brkt-Swvl Adjustable Swivel Monitor Bracket	1	\$165.00	\$165.00
CAT5E-SHLD-CABLE	1000 Ft. Spool, Outdoor, UV Resistant, CAT5E Bulk Cable	1	\$190.00	\$190.00
MON-10LCD-SL	10 in. Color LCD Monitor, Sunlight Viewable, 2 composite video inputs, 1 VGA input, 1 HDMI input (NTSC/PAL)	1	\$485.00	\$485.00
NEXT-CCU-PAK	Vantage Next CCU Unit, 1U box, supports up to 2 NEXT-DVPs (ordered separately). Includes NEXT-CCU-SHIPKIT (NEMA cabinet mounting bracket, 2.4GHz rubber duck antenna, USB optical mouse, 6 ft. HDMI cable, 5 ft. Cat5e patch cable, 4 x 3 ft. Cat5e patch cables, screwdriver, insulated crimp-on ground lug, 6 ft. power cord)	1	\$3,850.00	\$3,850.00
NEXT-DVP-PAK	VantageNext Dual Video Processor (supports 2x NEXT-CAM). Includes NEXT-DVP-SHIPKIT	2	\$3,850.00	\$7,700.00
NEXT-RAD-SURGE-4	Surge panel box for Next and Radius systems. Provides additional surge protection for 4 lines using RJ45 connections.	1	\$400.00	\$400.00
TS2CABLE-2070	#493024101 Cable Assembly, SDLC2 2070 controller	1	\$90.00	\$90.00
VECTOR-NEXT	Vantage Vector Sensor Unit for VantageNext Platform; NTSC/PAL 115/230AC, integrated sensor that includes a compact color wide dynamic range zoom camera and radar unit. Pole mount bracket also included.	4	\$4,400.00	\$17,600.00

\$30,480.00

Important Notes:

This quotation and any resulting order are subject to Iteris' Roadway Sensor Products Standard Terms and Conditions of Sale attached hereto or available at http://www.iteris.com/RS-Std-TC.pdf, which are incorporated herein by this reference.

RodefX is an authorized Iteris Sales Representative for Iteris Roadway Sensors products and may sign quotations on Iteris' behalf with a total sales price of \$80,000 or less. Quotations that exceed \$80,000 in total price must be approved by an Authorized Iteris Signature.

SUBTOTAL	\$30,480.00
FREIGHT	
TAX	\$2,590.80
TOTAL:	\$33,070.80



Iteris, Inc. 1700 Carnegie Avenue Suite 100 Santa Ana, CA 92705-5551 Michael Girardot RodefX Phone:

Email: rodefx@verizon.net

EQUIPMENT QUOTATION

Quote #00012195

February 22, 2023

Authorized Iteris Signature Date Michael Girardot, RodefX



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0086 Agenda Date: 3/20/2023 Agenda #: 7.

Agenda Item Wording:

Authorize the City Manager to award RFB No. 22-23-42 for property abatement of developed properties throughout the City of Visalia to Joe Grijalva Landscaping in the amount not to exceed \$210,000 annually.

Deadline for Action: 3/20/2023

Submitting Department: Fire Department

Contact Name and Phone Number: Corbin Reed, 559-713-4272

Department Recommendation:

Authorize the City Manager to award RFB No. 22-23-42 for property abatement of developed properties throughout the City of Visalia to Joe Grijalva Landscape in the amount not to exceed \$210,000 annually.

Background Discussion:

On Thursday, February 16th, 2023 bids were solicited for property abatement of undeveloped properties within the City of Visalia. On February 27th and 28th two mandatory pre-bid meetings were held at 707 W. Acequia. Contractors were required to attend one of the two scheduled meetings to be eligible to bid on this contract. A total of three contractors were in attendance. The bid closed at 2:00 PM on Monday March 13th, 2023. The initial contract term shall be for a twelve (12) month period and shall, at the City's option and with the consent of the contractor, be extended annually thereafter for four (4) consecutive one-year periods.

Three Bids were received for this contract:

Joe Grijalva Landscape- Tulare \$8,864.50 JC's Land Management- Kingsburg \$11,687.50 MP Environmental- Bakersfield \$34,000.00

The Visalia Fire Department Prevention Division is responsible for property maintenance throughout the City. Staff maintains two different contracts with two contractors to perform abatement services, one is for the abatement of developed properties while the other is for undeveloped (vacant lots). This contract is for abatement services of undeveloped parcels throughout the City. The scope of work includes weed abatement through mowing, brush/trash clean up, tree trimming, removal of dead or damaged trees etc.

Property maintenance is performed throughout the City of Visalia on a continual basis. Visalia Municipal Code Chapter 8.56 (Weed and Property Maintenance Ordinance) requires that properties be maintained to a minimum standard year-round. Property maintenance includes weeds,

File #: 23-0086 Agenda Date: 3/20/2023 Agenda #: 7.

overgrowth, junk, trash, and debris removal, and also occasionally requiring maintenance or removal of trees deemed to be a hazard or dead.

Beginning in March, a post card is sent to each owner of record for undeveloped lots throughout the city. Then, again in mid-April an additional post card is sent to each owner. These post cards refer the property owners to the City's website where the abatement standards can be reviewed. The post cards also serve as a reminder to property owners that they must once again abate their undeveloped parcels by May 1st. Although property maintenance is a year-round process, it is typically complaint driven. During the months leading up to summer, the Prevention Division takes a proactive approach with undeveloped properties to mitigate the large fire risk associated with high fuel loads presented by unmanaged undeveloped lots.

On April 1st, Fire Prevention Staff begin inspections of City owned parcels and a work order is then issued to the contractor for the abatement of each lot that is found to be out of compliance. This will allow for all City owned parcels to be abated and brought into compliance prior to beginning the inspection of privately owned lots.

On May 1st, there will be approximately 2,000 cases opened on privately owned lots throughout the city. These lots will be inspected by Fire Prevention Staff beginning on or after May 1st. If the lots have been abated prior to staff's inspection of the parcel and follow the applicable abatement standards, the case will be closed out. If a significant attempt has been made to abate the lot and bring it into compliance but work is still needed, then a "Post Inspection Notice" will be sent to the property owner giving them an opportunity to complete the required work prior to any fees being accessed. This notice provides a seven-day extension for abatement (inspections are scheduled 10 days after the notice is generated to provide time for mailing). If the property owner has failed to try to bring the lot into compliance or it is still significantly out of compliance, then a "Declaration of Public Nuisance" will be issued. This notice currently carries a fee of \$271.95 and provides an additional 14 days to bring the property into compliance. Once the 14-day deadline has passed a re-inspection of the property is performed, depending on compliance level, the case may then be closed out, an additional "Declaration of Public Nuisance" may be issued, or work ordered (having our contractor abate).

If a property owner fails to abate his/her property after all warnings have expired a "work order" is then issued. The fees incurred during the abatement process are then billed to the Fire Department and in turn assessed against the property. A lien for all fees will be filed with the Tulare County Accessors Office and kept in place until the City has been reimbursed either by payments from a responsible party (property owner) or through the Tax Roll process.

Fiscal Impact:

Staff is recommending an annual contract of \$210,000 due to prior year abatement activities. This amount can fluctuate and will only be used if needed. In addition, any abatement on private property is billed to the property owner and can be placed on the City tax roll to reimburse this expense.

Prior Council Action: N/A

Other: N/A

Alternatives: None recommended

File #: 23-0086 Agenda Date: 3/20/2023 Agenda #: 7.

Recommended Motion (and Alternative Motions if expected):

I move to award contract for RFB 22-23-42 to Joe Grijalva Landscape not to exceed \$210,000 per year for an initial 12-month term.

Environmental Assessment Status: N/A

CEQA Review: N/A

Attachments: Copy of bid from Joe Grijalva Landscape, JCS Land Management, MP Environmental

and copy of RFB 22-23-42



CITY OF VISALIA REQUEST FOR BID ("RFB")

RFB NO. 22-23-42

ANNUAL CONTRACT FOR ABATEMENT SERVICES OF UNDEVELOPED PROPERTIES

Mandatory Bid Meeting Dates:

Monday, February 27, 2023 @ 11:00 a.m. Tuesday, February 28, 2023 @ 11:00 a.m.

BIDS DUE NO LATER THAN 2:00 PM ON MONDAY, MARCH 13, 2023

All bidders and all listed subcontractors (including consultants) must be currently registered with the California Department of Industrial Relations (DIR).

The City of Visalia expressly reserves the right to modify, or withdraw from, the process initiated and described herein. No rights shall be vested in any party, individual or entity by virtue of its preparation to participate in, or its participation in, such process. The City expressly reserves the right to modify, for any reason, the schedule and any provision contained herein. The City reserves to itself the selection of winning respondent(s), if any, in the exercise of its sole discretion. No binding commitment shall arise on the part of the City to any respondent under this Request for Bid until and unless the parties sign documents of agreement that become effective in accordance with their terms. Responses to this RFB, however, shall be held firm by Respondent for at least ninety (90) days.

<u>PUBLIC WORKS CONTRACT:</u> This is a Public Works Maintenance Contract and therefore, it is subject to registration with the Department of Industrial Relations, payment of prevailing wages, submission of certified payroll records to the Labor Commissioner and other requirements listed in the City of Visalia Labor Compliance Manual (attached).

Advertisement Dates: February 16, 2023

February 21, 2023

TABLE OF CONTENTS

I.	DEFINITIONS
II.	INTRODUCTION
III.	DEPARTMENT OF INDUSTRIAL RELATIONS REQUIREMENTS 4
IV.	INSTRUCTIONS7
v.	SCOPE OF SERVICES/PROJECT
VI.	PRE-BID AND PRECONSTRUCTION MEETINGS
VII.	BID OPENING AND CONFIDENTIALITY 11
VIII	. AWARD
IX.	PROTESTS/APPEALS
X.	SPECIAL CONDITIONS
XI.	GENERAL CONDITIONS
XII.	POST AWARD RESPONSIBILITIES 16
	HIBITS
A. 1	BID FORM
	CERTIFICATIONS, AFFIDAVITS, ASSURANCES, STATEMENTS, WAIVERS, AND QUESTIONNAIRES WHICH MUST ACCOMPANY BID FORM
	B-1. Bidder's Statement on Previous Contracts Subject to EEO Clauses
	B-2. Equal Employment Opportunity Compliance Certificate
-	B-3. Certificate of Non-segregated Facilities
	B-4. Non-Collusion Affidavit B-5. Worker's Compensation Insurance Certificate
-	B-5. Worker's Compensation Insurance Certificate B-6. Anti-Kickback Compliance Certificate
	B-7. Americans with Disabilities Act Compliance Certificate
	B-8. Ownership Disclosure
	B-9. Drug-Free Workplace
	B-10. Iran Contracting Act Certification
C . :	SAMPLE PROJECT AGREEMENT WITH ATTACHMENTS
	ATTACHMENT 1 - GENERAL CONTRACT PROVISIONS
	ATTACHMENT 2 - INSURANCE REQUIREMENTS
D	ADDITIONAL ATTACHMENTS (ATTACHED SEPARATELY)
	D-1. STATE OF CALIFORNIA PREVAILING WAGE RATES
	D-2. CITY OF VISALIA LABOR COMPLIANCE MANUAL
	D-3. LANDFILL INFORMATION
	D-4. PROPERTY ABATEMENT DETAIL INFORMATION

I. **DEFINITIONS**

For the purposes of RFB NO. 22-23-42, the following terms shall have the meanings indicated:

- 1. "City" means the City of Visalia
- 2. "City Council" means the Council of the City of Visalia
- 3. "Bidder", "Vendor", "Supplier", "Consultant", "Contractor" and "Subrecipient" are used interchangeably throughout this invitation to mean the person, firm, or corporation or other entity submitting a Bid in response to the Request for Bid.
- 4. "Bid" and "Proposal" are used interchangeably to mean an individual's or entity's offer in response to this Request for Bid.
- 5. "RFB" means Request for Bid No. 22-23-42.

II. INTRODUCTION

The City of Visalia Purchasing Division is soliciting Bids for an annual contract for property abatement services of undeveloped properties as assigned by the City of Visalia Fire Department. The successful bidder shall be responsible for providing all services necessary to fulfill the requirements of this Invitation to Bid upon receipt of the City's Notice to Proceed.

The initial contract term shall be for a twelve (12) month period and shall, at the City's option and with the consent of the CONTRACTOR, be extended annually thereafter for four (4) consecutive one-year periods. Bids are being sought from contractors who have a proven record of experience in providing the services required by this Invitation to Bid.

No bid will be accepted from a Contractor who is not duly licensed in accordance with the provisions of Chapter 9, Division III of the State of California Business and Professions Code and has a current Class C-27 Landscape Contractor's License. See Section III for additional Department of Industrial Relations Requirements which applies to this project.

Under the requirements of Labor Code section 1782 passed by SB7 and in compliance with City of Visalia Ordinance 2014-13, this public works project is subject to State prevailing wages as specified in the specifications. See Section III for additional Department of Industrial Relations Requirements which applies to this project.

The City hereby affirmatively ensures that Minority Business Enterprises and Disadvantaged Business Enterprises (DBE) will be afforded full opportunity to submit proposals in response to this notice. Individuals and/or entities submitting bids/proposals to the City of Visalia will not be discriminated against on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, gender, gender identity or expression, age, sexual orientation, or military and veteran status in any consideration leading to the award of contract.

Executive Order N-6-22 – Russia Sanctions On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. By submitting a bid or proposal, Contractor represents that it is not a target of Economic Sanctions. Should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for rejection of the Contractor's bid/proposal any time prior to contract execution, or, if determined after contract execution, shall be grounds for termination by the State

III. <u>DEPARTMENT OF INDUSTRIAL RELATIONS REQUIREMENTS</u>, Public Works Contractor Registration Program and Project Labor Agreements

Notice is hereby given that this contract is considered a public works contract and therefore, subject to DIR monitoring. All contractors and subcontractors bidding and performing work on Public Works Projects must be currently registered with the California Department of Industrial Relations (DIR). Awarded Contractor is required to furnish electronic payroll records for new projects to the Labor Commissioner.

No contract will be awarded unless that contractor and/or subcontractors are registered with the California Department of Industrial Relations (DIR). Bids by unregistered contractors submitted after March 1, 2015 may be rejected as non-responsive.

A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

If a project labor agreement (the term "project labor agreement" is defined in Public Contract Code 2500(b)(1) as a pre-hire collective bargaining agreement that establishes terms and conditions of employment for a specific construction project or projects and is an agreement described in Section 158(f) of Title 29 of the United States Code) is used, then it must comply with the taxpayer protection provisions set forth in Public Contract Code section 2500(a). City of Visalia has no ordinances requiring or prohibiting such agreements.

The following statements and requirements are to be included in all City of Visalia public work contracts that require the payment of prevailing wages in accordance with California Labor Code (CLC). This RFB document becomes a part of the public works contract for this project and therefore, the CLC contract language requirements are incorporated into the contract.

As set forth in CLC section 1771.1(a), all contractors and subcontractors must be currently
registered and qualified to perform public work pursuant to CLC section 1725.5 to be qualified to bid, be listed in a bid proposal, or perform any public work for the City of Visalia. Proof of registration for each contractor and subcontractor listed on the bid is required.
As set forth is CLC section 1771.4 (a)(1), notice is given that this project is a public work, subject to compliance monitoring and enforcement by the Department of Industrial Relations.
As set forth in CLC section 1771.4(a)(2), the prime contractor is required by the City of Visalia to post job site notices, as prescribed by regulation. Information on required workplace postings may be found on the Department of Labor website at: http://www.dir.ca.gov/wpnodb.html .
The contractor and each subcontractor shall maintain all project records required under CLC for public works projects and preserve them for a minimum 3-year period to begin on the date a Notice of Completion is filed for the project. Please refer to the retention period required for any grant or specialized project funding. Some funding sources require an extended time period for records retention.
In accordance with CLC section 1773.2, the contractor is required, by the City of Visalia, to

wages for each craft, classification, or type of worker needed to execute the contract at each job site.

- ☐ In accordance with labor code section 1776 and its enforcement (1771.4(a)(3)), for initial contracts awarded on or after April 1, 2015 each project contractor and subcontractor shall:
 - o Maintain and furnish directly to the Labor Commissioner, bi-weekly, a certified copy of each weekly payroll as specified in section 1776 containing a statement of compliance with labor code sections 1771, 1811 and 1815, signed under penalty of perjury.
 - o Make available or provide a certified copy of these payroll records and their supporting documentation within 10 days to all authorized parties upon written request and be subject to penalties for non-compliance as detailed in labor code section 1776.
 - o Inform the City of Visalia of the location of the payroll records kept in compliance with labor code section 1776(g) and notify the City of Visalia within 5 working days of any change in their location.
- The City of Visalia will comply with any prevailing wage monitoring and enforcement activities required by the labor compliance programs of the Department of Industrial Relations including the withholding of contract payments in the amount of any underpayment of prevailing wage and applicable penalties as directed by the Department of Labor Standards Enforcement in accordance with CLC section 1727(a). Any amount withheld will be released as directed by the Labor Commissioner upon receipt of a certified copy of a final order no longer subject to judicial review in accordance with CLC section 1742(f).
- ☐ As set forth in labor code section 1775(b), the following subcontractor provisions shall be included in any contract executed between the contractor and a subcontractor for performance of work on this public work project:
 - o As set forth in CLC section 1775(b)(1), any contract executed between a contractor and a subcontractor for the performance of work on a City of Visalia public works project shall include a copy of the provisions of Labor Code sections 1771, 1776, 1777.5, 1813, and 1815. **These labor code sections must be included within or as attachments to the contract.**
 - As set forth in CLC section 1776, the subcontractor shall maintain and furnish directly to the Labor Commissioner, bi-weekly, a certified copy of each weekly payroll as specified in section 1776 containing a statement of compliance with labor code sections 1771, 1776, 1811 and 1815, signed under penalty of perjury.
 - As set forth in CLC section 1775(b)(2), the contractor shall monitor the payment of the specified general prevailing rate of per diem wages by the subcontractor to the employees, by periodic review of the certified payroll records of the subcontractor.
 - As set forth in CLC section 1775(b)(3), upon becoming aware of the failure of the subcontractor to pay his or her workers the specified prevailing rate of wages, the contractor shall diligently take corrective action to halt or rectify the failure, including, but not limited to, retaining sufficient funds due the subcontractor for work performed on the public works project.
 - o As set forth in CLC section 1775(b)(4), prior to making final payment to the subcontractor for work performed on the public works project, the contractor shall obtain an affidavit signed under penalty of perjury from the subcontractor that the subcontractor has paid the specified general prevailing rate of per diem wages to his or her employees on the public works project and any amounts due pursuant to Section

the affidavit(s) completed by each listed subcontractor. ☐ In accordance with CLC section 1777.5(e), prior to commencing work on a contract for public work; every contractor shall submit contract award information to an applicable apprenticeship program that can supply apprentices to the site of the public work. • Only apprentices, as defined in CLC section 3077, in training under apprenticeship standards approved by the Division of Apprenticeship Standards (DAP) and party to written apprentice agreements under CLC section 3070-3098 may be employed at the apprentice wage rate on public works. ☐ Unless exempted under CLC section 1777.5(j), a contractor working on a public works contract of \$30,000 or more shall employ the number of apprentices or the ratio of apprentices to journeymen stipulated in the applicable apprenticeship standards (CLC 1777.5(n)). In no event shall the ratio be less than one hour of apprentice work for every five hours of journeyman work. ☐ The prime contractor is responsible for compliance with the requirements of CLC section 1777.5 for all apprenticeable occupations employed on the contract. As stated in 1777.5 (o), the apprenticeship requirement does not apply to contracts of general contractors or to contracts of specialty contractors not bidding for work through a general or prime contractor when the contract is less than thirty thousand dollars (\$30,000). ☐ As stated in section 1777.7(e), the prime contractor will not be liable for any penalties assessed for violations of section 1777.5 if they have complied with the following requirements: The contract executed between the contractor and the subcontractor for the performance of work on the public works project shall include a copy of the provisions of section 1771, 1775, 1776, 1777,5, 1813 and 1815. These labor code sections must be included within or as attachments to the contract. The contractor shall continually monitor a subcontractor's use of apprentices required to be employed on the public works project pursuant to subdivision (d) of section 1777.5, including, but not limited to, periodic review of the certified payroll of the subcontractor. Upon becoming aware of a failure of the subcontractor to employ the required number of apprentices, the contractor shall take corrective action, including, but not limited to, retaining funds due to the subcontractor for work performed on the public works project until the failure is corrected. Prior to making a final payment to the subcontractor for work performed on the public works project, the contractor shall obtain a declaration, signed under penalty of perjury, from the subcontractor that the subcontractor has employed the required number of apprentices on the public works project. ☐ The prime contractor is required to provide a signed affidavit declaring their compliance with California Labor Code sections 1771 (prevailing wage) and 1777.5 (apprenticeship) for all workers employed on the contract before final payment will be made on the contract by the City of Visalia. Contract inclusion and/or attachments: The following item is required to be included either in the body of, as attachments to, or addendums of all public work contracts: ☐ As set forth in CLC section 1773, the City of Visalia shall obtain the general prevailing rate of

1813. Prior to the release of retention to the contractor, the COV will require a copy of

per diem wages and the general prevailing rate for holiday and overtime work in the locality in

which the public work is to be performed for each craft, classification, or type of worker needed to execute the contract from the Director of Industrial Relations. This will include the apprenticeship prevailing wage for all apprenticeable trades. In accordance with labor code section 1773.2, this information is to be included in the contract itself.

Ten (10) days before the closing date of the bid, the project manager will review the prevailing wage rates included in any requests for bid proposals for updates and issue an addendum to notify interested bidders of any changes. General prevailing wage determinations made by the director of industrial relations for journeyman and apprentices may be found at:

http://www.dir.ca.gov/OPRL/PWD/index.htm and http://www.dir.ca.gov/OPRL/PWAppWage/PWAppWageStart.asp

IV. INSTRUCTIONS

- 1. Fill out attached Bid Form (Exhibit "A") in ink or typewriting completely.
- 2. Cross out and initial mistakes in ink and place the correct response next to same.
- 3. Timely submit Bid in a sealed envelope addressed and marked as follows:

TO: City of Visalia Purchasing Division

707 W. Acequia Avenue Visalia, CA 93291

FROM: Bidder Name & Address

RE: RFB 22-23-42

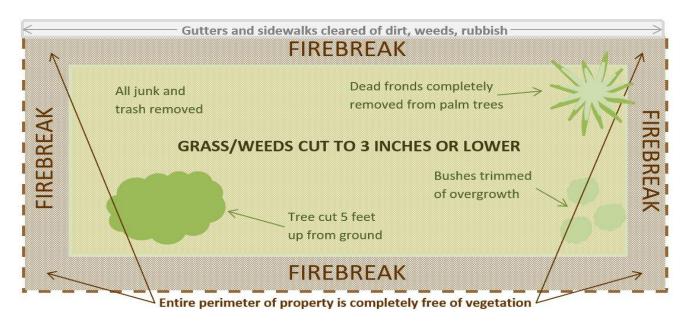
Annual Contract for Abatement Services of Undeveloped Properties

- 4. Submit each of the required Certifications, Affidavits, Statements and Questionnaires as well as optional waiver(s) to City with the sealed Bid. City will not consider Bids which are not accompanied by the required completed forms.
- 5. Inquiries: Instructions to Vendor, Specifications and Bid Forms may be inspected and obtained by visiting our web site at <u>visaliapurchasing.org</u> or by calling (559) 713-4334, or by FAX (559) 713-4801. However, to prevent misinterpretations, the Purchasing Division would prefer that all questions be sent by email to <u>purchasing@visalia.city.</u>

All questions regarding this project are due by March 3, 2023.

V. SCOPE OF SERVICES/PROJECT

This contract is to provide property cleanup services for undeveloped properties as assigned by the City of Visalia Fire Department. All weeds, vegetation overgrowth, junk and trash must be removed from a designated property and may include the use of tractors and necessary implements, disking equipment, hand tools, large & small mowers, weed eaters, rakes, shovels or similar equipment. An illustration of a typical abatement utilizing our standards is shown below. Please see Attachment D-4 for additional information and Scope of Services detail.



1. WORK SCHEDULE

The property maintenance program is a year-round program with the summer months being the peak workload period. Schedule of work to be performed shall be arranged with the Fire Chief and/or his representative.

Property maintenance for the City of Visalia shall be "priority work" for the successful contractor. Contractor must have sufficient equipment and employees to complete the high workload during the peak period. Should the awarded contractor not be able to complete assignments within ten (10) calendar days from the date the work order is issued, the City reserves the right to make other arrangements for completion as the Fire Chief deems necessary to prevent fire hazard and/or abate public nuisances.

2. WORK ORDERS

The Visalia Fire Department shall prepare and email a work order to contractor for each parcel to be abated and shall determine what work shall be done on each lot (see attachment D-4 for sample work order). No job shall be completed without a work order. Contractor will not be paid for work not authorized by the City's work order. Contractor shall complete abatement of lot within ten (10) days of issuance and documentations and photos shall be returned via email to Project Manager within five (5) days of completion. If Contractor has questions about the work to be accomplished, it is the responsibility of the Contractor to clarify all work with the Fire Department. Work orders and area maps are sent to the Contractor utilizing the City's "Share" email service. This allows large files to be sent and received.

3. MOWING/SHREDDING/FIREBREAK OPERATIONS

Weeds, brush, grass, or other ground overgrowth shall be mowed or shredded to within three inches (3") of the finished soil surface and provided with a firebreak as outlined below. A firebreak is a gap of <u>bare dirt</u> between vegetation and property lines that acts as a barrier to stop or slow the progress of fire. Bid amount shall include all aforementioned costs only and shall reflect time spent solely on site.

- Lots less than .5 acres: Provide a minimum of five-foot (5') firebreaks along entire perimeter of the property.
- Lots 0.5 acres or more: Provide a minimum of ten-foot (10') firebreaks along entire perimeter of the property.

Mowing and shredding work must follow a strict order of operations to reduce the risk of fire. Firebreaks MUST be completed before any other operations are done on the site.

4. HANDWORK OPERATIONS

Bushes, hedges, vines, and similar landscaping shall be trimmed of overgrowth. Clearing of street gutters is required if there is a large presence of weeds, dirt and/or debris therein. All debris generated from handwork shall be hauled out of the property and loaded into contractor's truck or trailer. Bid amount shall include all aforementioned costs only and shall reflect time spent solely on site.

5. JUNK AND TRASH REMOVAL

Any junk and trash discovered at a property where a work order has been issued shall be hauled out of the property and loaded into contractor's truck or trailer. Junk and trash may include appliances, furniture, e-waste, mattresses, and/or tires. Detailed photos shall be provided of all junk and trash removed from any property. Bid amount shall include all aforementioned costs only and shall reflect time spent solely on site.

Occasionally a Contractor will be required to clear a homeless encampment. Items that can be construed as private property shall not be removed without prior approval of the Visalia Fire Department. This would include items that may be property of homeless persons. Typically, such items will be identified prior to abatement, or a Fire Inspector will be onsite to help determine what is junk or trash.

6. TREE TRIMMING

Any trees with the branches or limbs extending down lower than 5 feet from the ground shall be "skirted" up to this height. Palm trees shall be trimmed of all dead, dry fronds. Occasionally tree removal of dead trees may be required but shall only be done with explicit instructions on the work order and only when a quote has been requested and approved. All debris generated from tree trimmings shall be hauled out of the property and loaded into contractor's truck or trailer. Bid amount shall include all aforementioned costs only and shall reflect time spent solely on site.

7. DISPOSAL OPERATIONS

All debris, junk and/or trash that is generated or located at the property from a work site shall be disposed of properly at an appropriate facility. Photos of the filled work truck or trailer must be taken prior to departing the work order location. Bid amount shall include employee(s) time, transportation, equipment and labor to dispose of the items at the disposal site. Any time spent for disposal operations shall not be entered as per hour charges under any other bid table line item. Dump fees shall be reimbursed based on actual cost detailed on receipt turned in with the work order.

8. RESPONSE TIME

Work must be promptly completed in order to accomplish safety goals. Work must be completed within ten (10) calendar days of the work order share link being sent. The Contractor must submit the completed work order and all supporting documentation (invoice, receipts, before and after photos, etc.) within five (5) calendar days after the work is completed. The work order and documentation must be sent via the same Share weblink the work order was issued with.

9. PHOTOGRAPHS

Proper photographic documentation is required to substantiate billing of the cleanup costs to the property owner. Detailed and high quality "before" and "after" photographs taken by the Contractor at the start and end of <u>each working day</u> at the job site are mandatory. Photos must be taken in digital format with a minimum resolution of 2240x1680 pixels. Photos must either have a visible date and time stamp on the image or a photo taken of a digital device screen prior to taking any pictures.

Contractor must submit "before" and "after" photographs of each job with the completed work order utilizing the City's Share email service. In no instance will a work order be approved for payment if "before" and "after" photographs are not submitted or of low quality.

10. INSPECTION

The Visalia Fire Department shall review work completed by the contractor upon receipt of the work order. Should the Visalia Fire Department determine that the work done is not acceptable, payment will be withheld until work has been done to the Department's satisfaction. The decision of the Visalia Fire Department shall be final.

11. SAFETY

All labor performed and materials and equipment used in implementation of this contract shall be in full compliance with safety orders and regulations of the Division of Industrial Safety of the State of California, the Williams-Steiger Federal Occupational Health and Safety Act, and CAL-OSHA.

At all times while performing work, contractor shall have immediate access to the following equipment necessary to extinguish grass fires caused as a result of contractor's weed abatement work: one (1), 3A/40BC fire extinguisher or one (1) 2-1/2-gallon pressurized water extinguisher (or equivalent), and one (1) shovel.

12. METHOD OF PAYMENT

The contractor shall return the completed work order certifying that the job has been completed and the Visalia Fire Department shall review the work. If any work is less than one hour, it shall be rounded up to the nearest half-hour. Once approved, payment in full will be made within thirty (30) working days. Payment for dumping fees shall be verified by individual receipts per work order from the appropriate waste facility. Receipts must have the appropriate case number noted for each work order. Photographs and receipts shall be provided for verification.

It is understood by both the Contractor and the City of Visalia that property conditions, obstructions, grass height and soil types shall vary from site to site. Contractor shall not be paid according to parcel conditions, but rather, payment shall be based on the unit prices quoted on the Bid Form.

13. COMMUNICATION

Contractor must maintain a cellular phone so that contractor can be contacted from 8:00 a.m. through 5:00 p.m., Monday through Friday. Contractor is responsible for the costs associated with the communication device.

14. <u>USE OF CITY PERSONNEL AND EQUIPMENT</u>

City of Visalia shall not furnish personnel to assist the contractor in performance of the contract. The contractor understands that any offers of assistance by City Personnel are unauthorized, and the contractor shall not accept such offers.

City of Visalia shall not furnish any equipment to assist the contractor in performance of the contract. Contractor understands that any offers by City of Visalia Personnel to use City equipment for loading, processing and disposal of the property are unauthorized and the contractor shall not accept such offers.

Contractor shall be billed for City personnel labor, equipment, and materials whenever City forces are called upon to repair damage caused by the contractor in the performance of work associated with this contract.

15. MATERIALS

Contractor shall furnish and use, at his own expense, all materials, labor, tools, equipment, and transportation necessary to carry out this contract.

All vehicles utilized to carry out contracted work for the City shall be in compliance with the State of California.

16. <u>HAZARDOUS WASTE</u>

Contractor shall notify the project manager immediately if any hazardous materials are found on site.

17. DUST ABATEMENT

All abatements on lots that are .5 acres or larger shall comply with RULE 8051 set forth by San Joaquin Valley Air Pollution Control District. This rule applies to any lot within urban areas that weed removal leaves less than three inches (3") of stubble immediately after such abetment. The contractor shall furnish all labor, equipment, and means required, and shall carry out effective measures wherever and as often as necessary, to prevent this operation from producing dust in amounts damaging to property, cultivated vegetation, or domestic animals or causing a nuisance to persons living or occupying buildings in the vicinity. The contractor shall be responsible for any damage resulting from any dust originating from his operations. The dust abatement measures shall be continued until the contractor is relieved of further responsibility by the project manager. No separate payment will be allowed for dust abatement measures and all costs thereof shall be included in the various prices named in the bid sheet for completion of the work.

18. NOISE LEVELS

Contractor shall comply with the City of Visalia's Municipal Code, Title 8 Health and Safety, Chapter 8.36 Noise. The City of Visalia Municipal Code can be found at www.visalia.city

19. HAULING RESTRICTIONS

The contractor shall comply with all restrictions when hauling material. Load restrictions on roads are identical to the State of California Department of Motor Vehicle load restrictions. A permit will not relieve the contractor of the liability for damage or the possible citations that may result from improperly moving of equipment/materials.

VI. PRE-BID AND CONTRACT MEETINGS

- Mandatory Pre-Bid Meetings. Two (2) mandatory pre-Bid meetings will be held on Monday, February 27 and Tuesday, February 28, 2023 at 11:00 a.m. each day at 707 W. Acequia, Visalia, CA, City Hall. Attendance at one (1) of these meetings is required to submit a Bid in response to this RFB and information regarding the project will be provided at this meeting. It shall be the responsibility of the Contractor to have acquired full knowledge of the job site, scope of work and any problems or difficulties that may affect the work proposed.
- 2. <u>Post Award Meeting.</u> Subsequent to the award of contract, the Contractor shall meet with the Project Manager prior to the start of work to discuss any problems or questions that may arise. Contractor shall contact the Project Manager within ten (10) days of the date of the Notice to Proceed to arrange this meeting.

City Project Manager: Corbin Reed
Department: Fire Department

VII. BID OPENING AND CONFIDENTIALITY

1. <u>Bid Opening.</u> Bids shall be opened publicly in the presence of attendees, if any, on **Monday, March 13, 2023 at 2:00 p.m.** at 707 W. Acequia, Visalia CA, City Hall. The name of each Bidder and the amount of each Bid shall be open to public inspection at the Bid opening and after an award decision has been made. Other Bid information will not be available for public review during the evaluation phase.

2. <u>Bid Confidentiality.</u> The City favors full and open disclosure of all Bid records. The City will not expend public funds defending claims for access to, inspection of, or to be provided copies of any such records. By submitting a Bid, a Bidder agrees to indemnify and defend the City against all claims or actions brought against it to seek access to, or compel disclosure of, any records or documents in the City's possession.

After the award, the City intends that its selection process will be open and public. Respondents are advised that the California Public Records Act ("PRA") provides that any person may inspect or be provided a copy of any identifiable public record or document that is not exempted from disclosure by the express provisions of the Act. The Federal Freedom of Information Act ("FOIA") contains a similar provision. Each Bidder shall clearly identify any information within its Bid that it intends to ask the City to withhold as exempt under either the PRA or FOIA. Any information contained in a Bidder's submission which the Bidder believe qualifies for exemption from public disclosure as "Proprietary" or "Confidential" must be identified as such at the time of first submission of Bidder's Bid to this RFB. Any failure to identify information contained in a Bidder's Bid to this RFB as "Proprietary" or "Confidential" shall constitute a waiver of Bidder's right to object to the release of such information upon request under either Act.

VIII. AWARD

- 1. <u>Most Responsive, Responsible Bidder.</u> A Contract (substantially similar to that attached hereto as Exhibit "C" with Attachments 1-2) shall be awarded with reasonable promptness by appropriate written notice. Award shall be made to the most responsive, responsible Bidder whose Proposal meets the requirements and criteria set forth in this RFB, price and other factors considered, and whose Bid is determined to result in the optimum economic advantage to the City. A responsible Bidder is one who has the capability, financial capacity, and integrity to perform the contract. A responsive Bidder is one who commits to all the material terms, for example, price, quantity, quality, and delivery, of this RFB. Contractor must return a signed copy of the contract provided by the City with its Award Notice to City within ten (10) working days of receipt thereof.
- 2. <u>Reservation of Rights.</u> The City reserves the right to reject any item or items in the Bid; to waive informalities, technical defects, and minor irregularities in Bids received; and to select the Bid(s) deemed most advantageous to the City.

IX. PROTESTS/APPEALS

Because it is essential that Bidders have confidence in the procurement procedures for soliciting and awarding contracts, it is the policy of the City to offer Bidders the opportunity to appeal award of contracts. The following procedures shall apply with regard to appeals:

- 1. Any actual Bidder who is aggrieved in connection with this RFB or award of a contract hereunder may protest to the City of Visalia Purchasing Division in writing within five (5) working days after such aggrieved Bidder knows, should have reasonably known, or could reasonably be expected to know of the facts giving rise thereto; and
- 2. Should identify only the areas regarding bid contradictions, procurement errors, quotation rating discrepancies, legality of procurement context, conflict of interest in the rating process and inappropriate or unfair competitive procurement grievance regarding the Bid process.

- 3. The City's Purchasing Division shall have the authority to settle and resolve each protest. The resolution will be provided to Bidder in writing within five (5) working days of receipt of the appeal unless the Bidder is notified more time is required.
- 4. Further levels of appeal may be made in accordance with the appeals provision contained in Chapter 5 of the City's "Purchasing and Contract Procedures" which is available through City's Purchasing Division.

X. SPECIAL CONDITIONS

1. Project Administrative Issues

- a. <u>Complete Project.</u> The successful Bidder shall be responsible for providing all materials, labor, equipment, and services necessary to fulfill the requirements of this RFB.
- b. <u>Extra Work.</u> Contractor is prohibited from doing extra work, unless work and price are authorized in writing by Project Manager before the work is done.

2. City-Contractor Relations

- a. Project Manager's Responsibility and Authority. City will designate a Project Manager. All work shall be done under the general supervision of such Project Manager or his or her designee(s). The Project Manager shall decide issues of quality and acceptability of materials, work performance, rate of progress of work, interpretation of drawings and specifications, and all questions related to fulfillment of the contract for the project. Project Manager shall not have control over acts or omissions of the Contractor, Subcontractors, their agents, or employees.
- b. <u>Contractor/Contractor's Superintendent.</u> Contractor shall bear all responsibility for, and have all control over, the construction means, methods, techniques, sequences, procedures and safety precautions or programs related to the project. Contractor may designate a superintendent.
- 3. <u>Legal Responsibilities</u>. It is the responsibility of Contractor to comply with all local, state, and federal laws and regulations which apply to this project. This includes, but is not limited to, compliance with Uniform Building, Plumbing, Mechanical, Electric, and Fire Codes. Contractor shall provide a safe working environment in compliance with the Occupational Safety and Health Act, and California Health and Safety Codes. Additionally, Contractor shall secure all necessary permits, licenses, and similar requirements to carry out the project. Contractor shall comply with all applicable labor laws and ensure against discrimination.

XI. GENERAL CONDITIONS

1. It is the policy of the City to provide equal opportunity to all candidates when selecting Bidders to provide public services. Bidders are expected to be equal opportunity employers.

The City hereby affirmatively ensures that Minority Business Enterprises and Disadvantaged Business Enterprises (DBE) will be afforded full opportunity to submit proposals in response to this notice. Individuals and/or entities submitting bids/proposals to the City of Visalia will not be discriminated against on the basis of

race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, gender, gender identity or expression, age, sexual orientation, or military and veteran status in any consideration leading to the award of contract.

No qualified disabled person shall, on the basis of disability, be excluded from participating in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance.

Bidder shall provide to the City a list of all instances within the last ten (10) years where a complaint was filed or pending against Bidder in a legal or administrative proceeding alleging that Bidder discriminated against its employees, subcontractors, vendors, or suppliers. A description of the status or resolution of that complaint, including any remedial action taken is required.

- 2. Post-Closing Date Corrections are prohibited.
- 3. Bids will not be accepted unless signed in ink (not typed) in the appropriate space(s) by an authorized officer or employee of the Bidder.
- 4. Bids must be submitted on or before the Closing Date. Any Bids received after the Closing Date shall be returned, unopened, to the Bidder, provided the request number, opening date, and Bidder's return address are on the envelope.
- 5. Bids may be withdrawn prior to the Bid Closing Date by writing to the Purchasing Division.
- 6. Telegraphic, telephonic, electronic, and facsimile Bids and withdrawal requests will not be accepted.
- 7. Prices submitted are considered accurate for a period of ninety (90) days and cannot be withdrawn after the Closing Date.
- 8. All Bids are the property of the City after submission.
- 9. City is not responsible for Bid errors and omissions.
- 10. Bids should be prepared in a straightforward, concise manner. Information provided which was not specifically requested will be considered only in City's discretion.
- 11. A written amendment or addenda issued by City's Purchasing Division is the only method which should be relied on with respect to changes to the RFB. Bidder is responsible to contact City's Purchasing Division prior to submitting a Bid to determine if any amendments were made to the RFB.
- 12. Any contract resulting from the RFB will be jointly administered by the City's Purchasing Division, and the Department requesting Bids.
- 13. Prior to conducting business in the City, a business tax certificate (license) must be obtained. Call 559-713-4326 for more information.
- 14. Bidder shall provide insurance as required by law and as indicated in the proposed contract.
- 15. Bidder shall maintain all personnel files and payroll records for employees used to implement the proposed contract.
- 16. Bidder shall withhold, pay, and report all taxes and issue W-2 forms at the end of each calendar year for employees used to implement the proposed contract.

- 17. Pursuant to the City's Charter, all other things being equal, tie Bids shall be awarded to a local merchant to the extent quality and prices are equal. If neither is a local vendor, the Bid shall be awarded by the flip of a coin by the Purchasing Division in the presence of at least one witness.
- 18. The City may make such investigation of the Bidder and information in the Bid as it determines necessary. This may include the collection of criminal history information, contractual and business associations and practices, employment histories and reputation.
- 19. All California agencies may purchase off the Proposal submitted at the same prices, terms, conditions, and specifications. The City of Visalia shall incur no responsibility in connection with another agency's purchase.
- 20. Each Bidder will be required to submit Certifications, Affidavits, Assurances, Statements and Questionnaires which are attached in Exhibit "B".
- 21. The quantities given on the Bid Proposal form and any related contract documents are approximate only. They are given as a basis for comparison of Bids. The City of Visalia does not, expressly or impliedly agree that the actual amount of work will correspond therewith but reserves the right to increase or decrease the amount of any class or portion of work, or to omit portion of the work, as the City deems necessary or advisable, at the prices Bid.
- 22. Bidders shall satisfy themselves by personal examination of the work site, specifications, plans, and other contract documents and by any other means as they believe necessary, as to the actual physical conditions, requirements, and difficulties under which the project must be performed. The submission of a Bid shall be conclusive evidence that the Bidder has investigated, and is satisfied as to the conditions encountered, as to the character, quality, and quantities of work to be performed, and the materials to be furnished, and as to the requirements of the RFB and the City. No allowance shall subsequently be made because of lack of such examination or knowledge.
- 23. All Bidders are required to make a Bid on the complete Bid Form (Exhibit "A"). Contractor may be required to submit Bids on alternate items. The City reserves the right to award to the contract based on the lowest combination or combinations of Bid items and alternate Bid items.
- 24. No mention shall be made in the Bid of sales tax, use tax or any other tax, as all amounts Bid will be deemed and held to include any such taxes, which may be applicable.
- 25. Only one Bid may be submitted as a "Prime Contractor" for the same work by any firm, individual, partnership, corporation, or combination thereof. A Contractor submitting a Bid as a Prime Contractor may not also submit sub-Bids to other competing Prime Contractors. Reasonable grounds for believing that any individual, firm, partnership, corporation, or combination thereof is interested in more than one Proposal for the work contemplated will cause the rejection of all Proposals in which such individual, firm, partnership, corporation, or combination thereof is interested. A Contractor who is not submitting a Bid as a Prime Contractor may submit any number of sub-Bids to competing Prime Contractors.
- 26. The City of Visalia is not liable for any costs incurred by Bidder in responding to this Request for Bid.
- 27. The annual contract resulting from this invitation to bid will be administered by the Fire Department. However, the City's Purchasing Division shall be the final judge

concerning issues or matters related to contract interpretation or problems regarding the terms, conditions, or scope of the contract.

- 28. The initial contract term shall be for a twelve (12) month period and shall, at the City's option and with the consent of the CONTRACTOR, be extended annually thereafter for four (4) consecutive one-year periods. Contract shall begin no later than 15 days from the receipt of annual contract.
- 29. All prices quoted in response to this Invitation to Bid shall be firm and fixed for twelve (12) months from the annual anniversary date of the agreement. In order to protect the interests of the City and to give the vendor a reasonable basis for bidding, a price adjustment feature is hereby incorporated into the specifications. Prices bid by vendor may be adjusted annually at time of contract renewal and upon mutual agreement of the parties to the contract to allow for price increases or decreases for labor and benefit rates, supplies and materials.

It will be the responsibility of the contractor to request a price adjustment and to provide all documentation necessary. The request for price adjustment must be submitted to the Project Manager in writing a minimum of thirty (30) but no sooner than ninety (90) calendar days prior to the annual anniversary date of the agreement. Requests filed after this time-period will not be considered.

The unit prices for the ensuing contracts shall be based on the movement of the unadjusted figures of the U.S. Department of Labor Consumer Price Index (CPI) for all Urban Consumers (CPI-U All Cities Average). The contract unit prices may be changed in an amount equal to the percentage of movement for the most recent twelve-month period. In no instance shall the price increase exceed 5%. The contract unit price changes, as a result of this formula, shall be binding on the contractor for the subsequent contract year. The adjustment of the unit bid price shall not be retroactive and shall apply only to changes incurred after approval.

30. This contract may be terminated without cause by the City, in whole or in part, by giving the Contractor fifteen (15) days written notice of the intent to terminate whenever the City determines that termination is in the best interest of the City.

If the Contractor shall fail to provide services or perform satisfactorily the work required by the terms and conditions of the contract, or materially breaches any of its obligations under this agreement the City may terminate the contract, in whole or in part by written notice. Termination shall take effect ten (10) calendar days after the date of mailing said termination notice.

Any assignment, subletting or transfer of the interest of the contractor, either in whole or in part, without the written consent of the City shall be cause for the City to immediately terminate the agreement for default.

Notwithstanding any other provisions of this agreement, this agreement may be terminated by the City upon a single violation of this agreement.

XII. POST AWARD RESPONSIBILITIES

1. Written Contract with City. A written agreement in a form similar to that attached to this Request for Bid as Exhibit "C" with Attachments 1-2 must be entered into between the City and the Contractor to whom the project is awarded. The Agreement forms the basis for the contractual obligation between the parties regarding the project. A contract will be provided with the Notice of Award and must be executed and returned to City within ten (10) working days of the date of award notification unless otherwise agreed.

- 2. <u>Post-Award Responsibilities</u>. Upon execution of the Agreement between the City and the Contractor, the Contractor shall immediately report all changes in its Articles of Incorporation, By-Laws, or Tax-Exempt status to the City.
- 3. <u>Insurance</u>. Contractor shall obtain and maintain the minimum insurance coverage outlined Exhibit "C", Attachment 2. Contractor shall provide evidence of such insurance to City's Purchasing Division prior to commencement of work.

Upon determination by the City that a contract has been entered and Contractor has provided all information that it is required to provide pursuant to this RFB, City will issue, in writing, a notice to proceed on the project to Contractor.

Bidding Agency:

EXHIBIT "A" BID FORM RFB NO. 22-23-42

Project: ANNUAL CONTRACTO FOR ABATEMENT SERVICES OF UNDEVELOPED PROPERTIES

TO: THE CITY OF VISALIA PURCHASING DIVISION:

In compliance with the City's Notice Inviting Sealed Bids No. 22-23-42 dated: ______, the undersigned BIDDER hereby proposes to furnish all materials, equipment, tools, labor appurtenances and incidentals required for the above stated project as set forth in the RFB, including all Exhibits and related contract documents therefore, and to perform all work in the manner and time prescribed therein.

BIDDER declares that this proposal is based upon careful examination of the work site, Instructions to BIDDERs, and the contract requirements. If this proposal is accepted for award, BIDDER agrees to enter into a contract with CITY at the unit and/or lump sum prices set forth in the following Bid Schedule.

BIDDER understands that a bid is required for the entire work and that final compensation under the contract will be based upon the actual quantities of work satisfactorily completed. It is agreed that all prices bid include all appurtenant expenses, taxes, royalties, and fees. All bids will be checked for accuracy. In the case of discrepancies in amounts bid, unit prices shall govern over extended amounts.

BIDDER hereby agrees to execute a contract within ten (10) working days, or such further time as may be allowed in writing by the Purchasing Division, after receiving notification of the acceptance of this Bid, and it is hereby mutually understood and agreed that in case the BIDDER does not, said Purchasing Division may proceed to award the contract to others.

BIDDER agrees to commence the work on the start date agreed between BIDDER and Project Manager, only after the contract is fully executed and Notice to Proceed has been issued.

BIDDER further declares that he/she has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with said bid.

BIDDER understands that LOW BIDDER will be determined by the lowest TOTAL BID AMOUNT submitted by a Bidder who is deemed Responsive and Responsible and complies with the specifications.

The quantities given on the Bid Form and any related contract documents are estimates only. They are given as a basis for comparison of Bids. The City of Visalia does not, expressly or impliedly, agree that the actual amount of work will correspond therewith and reserves the right to increase or decrease the amount of any class or portion of work, or to omit portion of the work, as the City deems necessary or advisable, at the prices Bid.

BIDDER has read and hereby agrees to the conditions stated in this bid by affixing his/her signature on the Bid Form.

In the case of discrepancy in amounts bid, unit pricing shall prevail over extended amounts.

Item	Description of Services per specifications of RFB-22-23-42			
A	Mowing/Shredding/Firebreak Operations	Unit Price (A)	Estimated Acreage (B)	Extended Price (A x B)
A1.	Less than 1 Acre	\$ per ¼ acre	.75 acre	\$
A2.	1 Acre – 5 Acres	\$ per acre	5 acres	\$
АЗ.	Over 5 Acres	\$ per acre	30 acres	\$
		Unit Price	Estimated Quantity	Extended Price
В	Handwork Operations	\$ per person per hour*	17 hours	\$
С	Junk & Trash Removal @ Property	\$ per ton**	3 tons	\$
D	Tree Trimming			
D1.	Skirting Trees	\$ per person per hour*	5 hours	\$
D2.	Tree Removal	n/a		AS QUOTED at time of request
D3.	Palm Tree trimming	\$ per person per hour*	5 hours	\$
E	Disposal of Weeds, Debris, Junk or Trash			
E1.	Labor, time, equipment for dumping	\$ per ton**	3 tons	\$
E2.	Dump Fees	n/a		ACTUAL COST
		TOTAL B	ID AMOUNT (Items A-E)	\$

*	Work	shall	be	rounded-up	to	the	nearest	$\frac{1}{2}$	hour.

(1)					
` '	Bidding Firm				
(2)					
` ,	Corporation, Partner, Joint Venture	1			
(3)					
(-)	Business Address	City	State	Zip Code	
	Telephone Number		Fax Number		
	E-mail Address				
(4)					
(·)	Signature of Authorized Person			(Date)	
	Type or Print Authorized Person's Na	ame			

^{**} Weights shall be rounded-up to the nearest ½ ton.

PLEASE SEE THE FOLLOWING INSTRUCTIONS REGARDING SIGNATURE

- (1) If the BIDDER is an individual, enter name here in style used in business; if a joint venture, exact name of entities joining in the venture; if a partnership, the correct trade style of the partnership; if a corporation, the exact name of the corporation.
- (2) If BIDDER is other than an individual, identify here its character, i.e., joint venture, partnership, corporation, including the state of incorporation. If BIDDER is an individual operating under a trade name, state "an individual dba (trade name in full)".
- (3) State on this line, the address to which all communications and notices regarding the Bid Proposal, and any contract awarded thereunder, are to be addressed.
- (4) If BIDDER is a joint venture, signature must be by one of the joint venturers, and if one or both joint venturers is a partnership or a corporation, each participating partnership must sign by a general partner, and each corporation by an authorized officer or employee; if a partnership, by a general partner; if a corporation, by an authorized officer or employee. The title of the person signing must appear after his/her signature. Where BIDDER is a partnership or corporation, the names of all other general partners, or the president or secretary of the corporation and their business addresses must be shown below.

Note: All names must be typewritten under written signature. All Addresses must be complete with street number, city, state, and zip code.

	BIDDING AGENCY:
BIDDING CONTRACTOR'S LICENSE INFO	ORMATION:
STATE CONTRACTOR'S LIC. CLASS:	# EXP. DATE:
STATE D.I.R. REGISTRATION #	
FEDERAL TAX I.D. #	
CITY OF VICALIA DIICINECO TAV OI	ERTIFICATE # A City
Business Tax Certificate (license) is not a	required to submit a bid; however, vendor is required to commencement of work within the City of Visalia. Please
	owing are the names, addresses, and telephone numbers nich BIDDER has performed work similar in size and scope
	CONTACT PERSON:
	PHONE #:
REFERENCE 2	
NAME OF AGENCY:	CONTACT PERSON:
AGENCY ADDRESS:	PHONE #:
REFERENCE 3	
NAME OF AGENCY:	CONTACT PERSON:
AGENCY ADDRESS:	PHONE #:
DESIGNATION OF SURETIES : The follow all brokers and sureties from whom BIDDE	ving are the names, addresses, and telephone numbers for ER intends to procure insurance.
COMPANY NAME:	TYPE OF INSURANCE:
ADDRESS:	TELEPHONE#:
COMPANY NAME:	TYPE OF INSURANCE:
ADDRESS:	TELEPHONE#:
COMPANY NAME:	TYPE OF INSURANCE:
ADDRESS:	TELEPHONE#:

BIDDER'S STATEMENT ON PREVIOUS CONTRACTS SUBJECT TO EQUAL EMPLOYMENT OPPORTUNITY CLAUSE (EXECUTIVE ORDER 11426)

Note: THIS FORM IS TO BE COMPLETED BY BIDDER AND SUBMITTED WITH BID.

Within 24 hours after the bid opening, the three lowest bidders shall submit this form (completed and signed by each of their listed subcontractors). A scanned copy will be accepted; however, the original copies must be mailed or hand-delivered.

The BIDDER shall complete t	he following statement by checking the appropr	riate blanks:				
The BIDDER has has not participated in a previous contract subject to the Equal Employment Opportunity Clause prescribed by Executive Order 11246, as amended, of September 24, 1965.						
The BIDDER has has not submitted all compliance reports in connection with any such contract due under the applicable filing requirements; and that representations indicating submission of required compliance reports signed by proposed subBIDDERs will be awarded prior to award of subcontracts.						
Clause and has not submit	ted in previous contracts subject to the Equal ted compliance reports due under applicable apliance report on Standard Form 100, "Empeontract.	filing requirements, the				
Note: Failure to complete the	blanks may be grounds for rejecting the bid.					
Company:						
Business Address:						
Signature:						
Name of Signing Official:						
Title of Signing Official:						
Date:						
Company Seal:						

EXHIBIT "B-2"

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE CERTIFICATE (EXECUTIVE ORDER 11246)

Equal Opportunity Clause

Unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Executive Orders 10925, 11114 or Section 204 of Executive Order 11246 of September 24, 1965, during the performance of each contract with the City of Visalia, the BIDDER agrees as follows:

- 1. The BIDDER will not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, or political affiliation. The BIDDER will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, gender, national origin, or political affiliation. Such action shall include, but not be limited to, the following: employment upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The BIDDER agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- 2. The BIDDER will, in all solicitations or advertisements for employees, placed by or on behalf of the BIDDER, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, national origin or political affiliation.
- 3. The BIDDER will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or the workers' representative of the BIDDER's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice on conspicuous places available to employees and applicants for employment.
- 4. The BIDDER will comply with all provisions of Executive Order 11246 of September 24, 1965, and the rules, regulations, and relevancy orders of the Secretary of Labor.
- 5. The BIDDER will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and relevant orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- 6. In the event of the BIDDER's non-compliance with the non-discrimination clauses of this subcontract or with any of such rules, regulations or orders, this subcontract may be canceled, terminated or suspended, in whole, or in part and the BIDDER may be declared ineligible for further government contracts in accordance with the procedures authorized in accordance with Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or otherwise provided by law.
- 7. The BIDDER will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each SUBBIDDER or vendor. The BIDDER will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the BIDDER becomes involved in, or is threatened with litigation with a SUBBIDDER or vendor as a result of such direction by the contracting agency, the BIDDER may request the United States to enter into such litigation to protect the interest of the United States.

Company Name:		
Business Address:		
Signature:	Date:	
Name of Signing Official (Print or Type):		
Title of Signing Official:	Company Seal:	

CERTIFICATE OF NONSEGREGATED FACILITIES (BIDDERS/SUBCONTRACTORS)

- 1. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise.
- 2. By the submission of a bid, the BIDDER certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The BIDDER agrees that a breach of this certification is a violation of the Equal Opportunity clause in the contract.
- 3. By submission of the bid, the BIDDER further agrees that (except where it has obtained identical certifications from proposed SUBCONTRACTORs for specific time periods) it will:
 - (a) Obtain identical certifications from proposed SUBCONTRACTORs before the award of subcontracts under which the SUB-BIDDER will be subject to the Equal Opportunity clause;
 - (b) Retain such certifications in its files; and
 - (c) Forward this certification and the following notice to the proposed SUBCONTRACTORs:

NOTICE OF PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATION OF NONSEGREGATED FACILITIES

A certificate of Nonsegregated Facilities must be submitted before the award of a subcontract under which the SUBCONTRACTOR will be subject to the equal Opportunity clause. The certification may be submitted either for each SUBCONTRACTOR for all subcontracts during a period (i.e., quarterly, semi-annually, or annually).

4. By commencing performance of the Contract work, the selected BIDDER certifies to the Nonsegregated Facilities provisions above.

Company:	
Business Address:	
Signature:	Date:
Name of Signing Official (Print or Type):	
Title of Signing Official:	Company Seal:

NON-COLLUSION AFFIDAVIT

STATE OF CALIFORNIA)	
CITY OF VISALIA) ss)	
the party making behalf of, any undisclosed that the Bid is genuine an induced or solicited any of indirectly colluded, conspired Bid, or that anyone shall reindirectly, sought by agreed BIDDER or any other BIDDER, of anyone interested in the further, that the BIDDER breakdown thereof, or the coand will not pay, any feet.	ng the foregoing Bid; that the person, partnership, company d not collusive or sham; that other BIDDER to put in a falsed, connived, or agreed with an efrain from Bidding; that the Benent, communication, or confer DER, or to fix any overhead, pror to secure any advantage aga proposed contract; that all state has not, directly or indirectly contents thereof, or divulged in	s and says that he or she is of Bid is not made in the interest of, or on association, organization, or corporation; the BIDDER has not directly or indirectly se or sham Bid, and has not directly or by BIDDER or anyone else to put in a sham IDDER has not in any manner, directly or ence with anyone to fix the Bid price of the ofit, or cost element of the Bid price, or of inst the public body awarding the contract ements contained in the Bid are true; and, or, submitted his or her Bid price or any formation or data relative thereto, or paid, p, company association, organization, bid a collusive or sham Bid.
Company:		
Business Address:		
Signature:	·	
Name of Signing Official:		
Title of Signing Official:		
Date:		
		only the identity of the individual who signed fulness, accuracy, or validity of that document.
State of California County of		
	before me,	, a Notary
that he/she/they executed the	hose name(s) is/are subscribed to t e same in his/her/their authorized	_,who proved to me on the basis of satisfactory the within instrument and acknowledged to me capacity(ies), and that by his/her/their behalf of which the person(s) acted, executed
I certify under PENALTY OF PI true and correct WITNESS my hand and official		e of California that the foregoing paragraph is
Signature	(Seal)	

WORKERS' COMPENSATION INSURANCE CERTIFICATE (CALIF. LABOR CODE § 3700)

STATE OF CALIFORNIA	
CITY OF VISALIA) ss)
I am aware of the provisions	of Section 3700 of the Labor Code which requires every employer to be
insured against liability for w	orkers' compensation or to undertake self-insurance in accordance with
the provisions of that code	e, and I will comply with such provisions before commencing the
performance of the work unde	er this contract.
Company:	
r r	
Business Address:	
Signature:	
Signature.	
Name of Signing Official:	
Title of Signing Official:	
Date:	

Company Seal:

CERTIFICATION OF ANTI-KICKBACK COMPLIANCE CERTIFICATE (48 Stat. 948; 62 Stat. 740; 63 Stat. 108; Title 18 U.S.C. § 8741; and 40 U.S.C. (c))

By submission of a Bid, the BIDDER certifies that neither it nor any of its employees has performed or participated in any prohibited actions, as defined in that provision, relating to the award of the Contract. By commencing performance of the Contract work, the selected BIDDER certifies to Anti-Kickback Compliance.

Company:	
Business Address:	
Signature:	
Name of Signing Official:	
Title of Signing Official:	
Date:	
Company Seal:	

AMERICANS WITH DISABILITIES ACT COMPLIANCE CERTIFICATE

By submission of a bid, the BIDDER certifies it will comply with the Americans with Disabilities Act, 42 U.S.C., 12101 et. seq., and will maintain compliance throughout the life of this Contract. By commencing performance of the Contract work, the selected BIDDER certifies to the Americans with Disabilities Act compliance.

Company:	
1 3	
Business Address:	
Signature:	
N	
Name of Signing Official:	
Title of Signing Official:	
8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	
Date:	
Company Seal:	

CITY OF VISALIA, CA

Ownership Disclosure for Contractors and Consultants

NAMES OF DDINICIDALS DADTNEDS AND/OD TRUSTEES

NAMES OF FI	XINCIPALS, PARTNERS, AND/OR TRUSTEES.
Firm Name:	
	
	of all principals, partners, and/or trustees. For corporations provide names of officers, ll stockholders owning more than 10% equity interest in corporation:
Submitted by:	Name
-	Date

EXHIBIT "B-9"

STATE OF CALIFORNIA

DRUG-FREE WORKPLACE CERTIFICATION

STD.21 (REV.10-2019)

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.

CONTRACTOR/BIDDER FIRM NAME	FEDERAL ID NUMBER
BY (Authorized Signature)	DATE EXECUTED
PRINTED NAME AND TITLE OF PERSON SIGNING	TELEPHONE NUMBER (Include Area Code)
TITLE	
CONTRACTOR/BIDDER FIRM'S MAILING ADDRESS	

The contractor or grant recipient named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above-named contractor or grant recipient will:

- 1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
- 2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all the following:
 - (a) The dangers of drug abuse in the workplace.
 - (b) The person's or organization's policy of maintaining a drug-free workplace,
 - (c) Any available counseling, rehabilitation, and employee assistance programs, and
 - (d) Penalties that may be imposed upon employees for drug abuse violations.
- 3. Provide as required by Government Code Section 8355©, that every employee who works on the proposed contract or grant:
 - (a) Will receive a copy of the company's drug-free workplace policy statement, and
 - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

EXHIBIT "B-10"

IRAN CONTRACTING ACT CERTIFICATION

(Public Contract Code Section 2200 et seq.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 et seq.) is true and correct:

\sim	e Contractor is not:
(1) Identified on the current list of persons and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision
	(b) of Public Contract Code Section 2203; or
(2	2) A financial institution that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.
	services in the energy sector in train.
0	The City has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the City will be unable to obtain the goods and/or services to be provided pursuant to the Contract.
0	The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000 over the life of the contract (up to 5 years).
Signature:	Printed Name:
Title:	Agency Name:
Date:	

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or eligibility to bid on contracts for three years.

EXHIBIT "C"

S A M P L E (does not need to be submitted with Bid/Proposal)

ANNUAL CONTRACT FOR PROPERTY ABATEMENT SERVICES OF UNDELVELOPED PROPERTIES (City of Visalia Bid No. 22-23-42)

This Agreemen	nt, e	entered ir	nto a	nd effect	ive this _		da	ay of	f			_, 20	23 ["Eff	ective
Date"], by an	nd	between	the	City of	Visalia,	here	einaft	er	referred	to	as	the	"CITY",	and
			_ he	ereinafter	referred	to	as	the	"CONT	RAC	TOR'	", "	BIDDER	", 01
"SUBRECIPIEN	NT".													
					RECIT	AL	<u>S</u>							
WHEREAS, CO	TNC	RACTOR	is an			(in	sert i	indiv	<i>r</i> idual or	enti	ty ty	pe) v	vith a pr	imary
business addre	ess	of			and SSN o	r EIN	I:				; and	d	_	
WHEREAS, CI	TY i	s a munic	cipal (corporati	on and Ch	arter	Law	City	; and					

WHEREAS, City of Visalia reviewed and evaluated responses to the Bid and determined to award an contract to CONTRACTOR for the Annual Project; and

WHEREAS, CONTRACTOR represents it is licensed, qualified and willing to complete the Project pursuant to terms and conditions of this Agreement.

NOW, THEREFORE, CITY and CONTRACTOR agree as follows:

1. TERM:

The term of this Agreement shall commence on the Effective Date and expire upon completion of all obligations of the parties, unless earlier terminated by the parties. The initial contract term shall be for a twelve (12) month period and shall, at the City's option and with the consent of the CONTRACTOR, be extended annually thereafter for four (4) consecutive one-year periods. Additionally, this Agreement may be terminated for convenience. In the event of termination or expiration of this Agreement, CONTRACTOR shall transfer to CITY any funds and/or accounts receivable on hand attributable to the use of CITY funds.

ATTACHMENTS INCORPORATED:

The following are attachments for this Agreement. Said attachments are incorporated into this Agreement as if included in full in the body:

ATTACHMENT NO.	DESCRIPTION OF ATTACHMENT
Attachment 1	General Contract Provisions
Attachment 2	Insurance Requirements
Attachment 3	City of Visalia Bid 22-23-42, Annual Contract for Abatement Services of
	Undeveloped Properties
Attachment 4	CONTRACTOR's bid in response to Bid No. 22-23-42

3. CONTRACTOR SCOPE OF SERVICES and COMMITMENTS*:

CONTRACTOR shall provide the following services for the stated compensation on or before the stated completion dates ("Scope of Services"):

All work described in Scope of Services in Bid No. 22-23-42.

4. CITY COMMITMENTS:

CITY shall perform the following tasks on or before the stated completion dates:

TASK	COMPLETION DATE
Pay Contractor as work is completed and invoiced	As requested by Contractor

5. COMPENSATION:

CITY shall pay CONTRACTOR compensation for services as indicated in Paragraph 4 above; however, CITY shall pay not more than the following amount as total compensation under this Agreement, unless otherwise agreed in writing. Such sum shall be expended and paid by CITY on a reimbursement basis for services actually performed based on invoices, receipts, time sheets and similar documents presented by CONTRACTOR to CITY.

Total Compensation:	\$
Source of Funds:	Local Revenues
Payment Schedule:	Within 30 days from date of invoice for completed work

6. CONTRACT PRICE ADJUSTMENTS:

All prices shall be firm and fixed for twelve (12) months from the annual anniversary date of the agreement. Prices may be adjusted annually at time of contract renewal and upon mutual agreement of the parties. It will be the responsibility of the contractor to request a price adjustment and to provide all documentation necessary to support this request. The request for price adjustment must be submitted to the Project Manager in writing a minimum of thirty (30) but no sooner than ninety (90) calendar days prior to the annual anniversary date of the agreement. Requests filed after this time-period will not be considered.

The unit prices for the ensuing contracts shall be based on the movement of the unadjusted figures of the U.S. Department of Labor Consumer Price Index (CPI) for all Urban Consumers (CPI-U All Cities Average). The contract unit prices may be changed in an amount equal to the percentage of movement for the most recent twelve-month period.

In no instance shall the price increase exceed 5%. The contract unit price changes as a result of this formula shall be binding on the contractor for the subsequent contract year. The adjustment of the unit bid price shall not be retroactive and shall apply only to changes incurred after approval.

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

CONTRACTOR Dated: By: Authorized Officer: I certify under penalty of perjury under the laws of the State of California that I am fully authorized to execute this Agreement for CONTRACTOR in the capacity I have stated, and that such execution is sufficient to bind the CONTRACTOR. **CITY OF VISALIA** City Manager Dated: City Attorney Dated: City of Visalia Risk Manager Dated: By: City of Visalia Project Manager

Exhibit "C" Attachment 1 GENERAL CONTRACT PROVISIONS

- **A.** <u>Successors and Assigns</u>: This Agreement shall be binding upon and shall inure to the benefit of any successors to or assigns of the parties.
- **B. Prohibition of Assignment**: Neither party shall assign, delegate, or transfer their rights and duties in this Agreement without the written consent of the other party.
- **C.** <u>Notices</u>: Notice shall be sufficient hereunder if personally served upon the City Clerk of the CITY or an officer or principal of the CONTRACTOR, or if sent via the United States Postal Service, postage prepaid, addressed as follows:

CITY OF VISALIA	CONTRACTOR
707 W. Acequia Ave.	
Visalia, CA 93291	
Attention: City Clerk/Purchasing	Attention:

- **D.** <u>Independent Contractor:</u> It is understood and agreed by the parties herein that CONTRACTOR, in the performance of this Agreement, shall act as an independent contractor, and therefore shall obtain no rights to any fringe benefits that accrue to regular full-time CITY employees.
- **E.** <u>Jurisdiction/Venue/Waiver Of Removal</u>: This Agreement shall be administered and interpreted under the laws of the State of California. Jurisdiction of litigation arising from this Agreement shall be in California. Any action brought to interpret or enforce this Agreement, or any of the terms or conditions hereof, shall be brought in Tulare County, California. The CONTRACTOR hereby expressly waives any right to remove any action to a county other than Tulare County as permitted pursuant to Section 394 of the California Code of Civil Procedure.
- **F.** <u>Integration/Modification</u>: This Agreement and each of the documents and exhibits or attachments referenced herein, which are incorporated by reference, represents the entire understanding of the parties as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing signed by the parties, unless otherwise explicitly authorized.
- **G.** Conflict With Law: If any part of this Agreement is found to be in conflict with applicable laws, such part shall be inoperative, null and void insofar as it is in conflict with said law, but the remainder of the Agreement shall be in full force and effect.
- H. <u>Indemnification</u>: The CONTRACTOR waives any and all claims and recourse against the CITY, including the right of contribution of loss or damage to person or property arising from, growing out of, or in any way connected with or incidental to the CONTRACTOR's performance of this Agreement, except claims arising from the concurrent or sole negligence of the CITY or its officers, agents or employees. The CONTRACTOR will indemnify, hold harmless, and defend (at CITY's option) the CITY against any and all claims, demands, damages, costs, expenses, or liability arising out of the CONTRACTOR's performance of this Agreement except for liability arising out of the concurrent or sole negligence of the CITY or its officers, agents, or employees.
- **I.** <u>Attorney's Fees</u>: In the event either party commences any action, arbitration, or legal proceedings for the enforcement of this Agreement, the prevailing party, as determined by the court or arbitrator, shall be entitled to recovery of its attorney's fees and court costs incurred in the action brought thereon.

- **J.** <u>Headings</u>: Section headings are provided for organizational purposes only and do not in any manner affect the scope or intent of the provisions thereunder.
- **K.** <u>Firearms Prohibited</u>: Guns may not be carried by contractors/vendors/consultants while working on City of Visalia premises without the expressed written approval of a City of Visalia Department Head, or an exemption in the contract. If a contractor/vendor/consultant is caught carrying a gun, without City permission, their contract will be terminated.
- **L.** Executive Order N-6-22 Russia Sanctions On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. By submitting a bid or proposal, Contractor represents that it is not a target of Economic Sanctions. Should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for rejection of the Contractor's bid/proposal any time prior to contract execution, or, if determined after contract execution, shall be grounds for termination by the State

Exhibit "C" Attachment 2

INSURANCE REQUIREMENTS

- 1. <u>CONTRACTOR Insurance</u>. CONTRACTOR, at its sole cost and expense, for the full term of this Agreement (and any extensions thereof), shall obtain and maintain at a minimum compliance with all of the following insurance coverage(s) and requirements. Such insurance coverage shall be primary coverage as respects CITY and any insurance or self-insurance maintained by CITY shall be in excess of CONTRACTOR's insurance coverage and shall not contribute to it.
- **2. Subcontractor(s') Insurance.** If CONTRACTOR utilizes one or more subcontractors in the performance of this Agreement, CONTRACTOR shall obtain and maintain independent insurance as to each subcontractor or otherwise provide evidence of insurance coverage for each subcontractor equivalent to that required of CONTRACTOR.
- **Types of Insurance and Minimum Limits.** The following types of insurance and minimum limits are required providing at least the following minimum coverage and limits of liability:
 - a. **Worker's Compensation** written in accordance with the laws of the State of California providing coverage for any and all employees of CONTRACTOR in the minimum statutorily required coverage amounts.
 - b. **Automobile Liability Insurance** for each of CONTRACTOR's vehicles used in the performance of this Agreement, including owned, non-owned (e.g. owned by CONTRACTOR's employees or contractors), leased or hired vehicles, in the minimum amount of \$1,000,000 combined single limit per occurrence for bodily injury and property damage.
 - c. **Comprehensive or Commercial General Liability Insurance** coverage in the minimum amount of \$1,000,000 combined single limit, including coverage for:
 - (1) bodily injury
 - (2) personal injury
 - (3) broad form property damage
 - (4) contractual liability
 - (5) cross-liability
 - (6) products and completed operations liability

4. Other Insurance Provisions.

If any insurance coverage required in this Agreement is provided on a "Claims Made" rather than "Occurrence" form, CONTRACTOR agrees to maintain the required coverage for a period of three (3) years after the expiration of this Agreement (hereinafter "post agreement coverage") and any extensions thereof. CONTRACTOR may maintain the required post agreement coverage by renewal or purchase of prior acts or tail coverage. This provision is contingent upon post agreement coverage being both available and reasonably affordable in relation to the coverage provided during the term of this Agreement. For purposes of interpreting this requirement, a cost not exceeding 100% of the last annual policy premium during the term of this Agreement in order to purchase prior acts or tail coverage for post agreement coverage shall be deemed to be reasonable.

5. Endorsements.

All required Automobile and Comprehensive or Commercial General Liability Insurance shall be endorsed to contain the following clauses:

- a. The City of Visalia, its officers, agents, employees, representatives, and volunteers are added as additional insureds as respects operations and activities of, or on behalf of the named insured, performed under contract with the City of Visalia.
- b. It is agreed that any insurance maintained by the City of Visalia shall apply in excess of and not contribute with insurance provided by this policy.
- c. This insurance shall not be canceled, limited in scope or coverage, or non-renewed until after thirty (30) days prior written notice has been given to the City Clerk, City of Visalia, 707 W. Acequia, Visalia, CA, 93291

6. Proof of Coverage.

CONTRACTOR agrees to provide its insurance broker(s) with a full copy of these insurance provisions and provide CITY on or before the effective date of this Agreement with Certificate(s) of Insurance for all required coverages. Copies of all the required Endorsements shall be attached to the Certificate(s) of Insurance or other evidence of insurance acceptable to the City of Visalia, which shall be provided by CONTRACTOR's insurance company as evidence of the stipulated coverages. This Proof of Coverage shall then be mailed to the City of Visalia at the following address:

City of Visalia 707 W. Acequia Visalia, CA 93291 Attn: Purchasing Division

City of Visalia, CA

707 West Acequia, Visalia, CA 93291



Purchasing Department

Tel: (559) 713-4334 Fax: (559) 713-4801

ADDENDUM NO. 01

Issued:

March 6, 2023

Project:

Annual Contract for Abatement Services of Undeveloped Properties

RFP No.:

RFB 22-23-42

Bids Due:

Monday, March 13, 2023 @ 2:00 p.m.

Addendum No. 01 is being issued to answer questions received pertaining to the project and to provide any pertinent wage updates. This addendum becomes part of the Contract Documents for the above project and must be signed and submitted with Bid.

ITEM 1: QUESTIONS/RESPONSES

Q1: Would having a Class A General Eng. License be sufficient with references of performing similar work?

R1: Yes, a Class A license will suffice.

Q2: To clarify, no disking is required for this bid?

R2: Correct. Disking may be used for fire breaks but is not otherwise needed.

Q3: What if we encounter hazardous waste?

R3: Please notify the Project Manager and the City will handle the issue.

Q4: Is there a current list of properties to be abated?

R4: The City will begin inspections of City owned properties on 4/1/23 and privately owned properties on 5/1/23. The list will be created based on these inspections.

Q5. Do you have a rough number of how many work orders are issued per year?

R5. Below is a monthly breakdown of inspections for the past five (5) years:

January	1	July	3
February	2	August	4
March	10	September	2
April	25	October	2
May	29	November	1
June	15	December	2

Q6. Why the change from disking to mowing?

R6. There were issues with the dirt not getting fully overturned so a decision was made to switch to moving in this contract.

Q7. When will we be required to mow- when the grass is still green or after it has dried?

R7. Inspections will begin April 1st for City owned vacant parcels, Inspectors will begin issuing work orders on April 3rd. Work orders will begin being issued for privately owned lots on or around May 15th.

ITEM 2: PREVAILING WAGES

There were no changes to the wage determinations provided in the initial bid documents.

BIDDER ACKNOWLEDGMENT OF ADDENDUM NO. 1

/s/ Purchasing Division (559) 713-4334

Bidder to sign and submit with Bid.

Signature

Firm:

Ву: _

Date:

Bidding Agency: OCS Lard mynt

EXHIBIT "A" BID FORM RFB NO. 22-23-42

Project: ANNUAL CONTRACTO FOR ABATEMENT SERVICES OF UNDEVELOPED PROPERTIES

TO: THE CITY OF VISALIA PURCHASING DIVISION:

In compliance with the City's Notice Inviting Sealed Bids No. 22-23-42 dated: ______, the undersigned BIDDER hereby proposes to furnish all materials, equipment, tools, labor appurtenances and incidentals required for the above stated project as set forth in the RFB, including all Exhibits and related contract documents therefore, and to perform all work in the manner and time prescribed therein.

BIDDER declares that this proposal is based upon careful examination of the work site, Instructions to BIDDERs, and the contract requirements. If this proposal is accepted for award, BIDDER agrees to enter into a contract with CITY at the unit and/or lump sum prices set forth in the following Bid Schedule.

BIDDER understands that a bid is required for the entire work and that final compensation under the contract will be based upon the actual quantities of work satisfactorily completed. It is agreed that all prices bid include all appurtenant expenses, taxes, royalties, and fees. All bids will be checked for accuracy. In the case of discrepancies in amounts bid, unit prices shall govern over extended amounts.

BIDDER hereby agrees to execute a contract within ten (10) working days, or such further time as may be allowed in writing by the Purchasing Division, after receiving notification of the acceptance of this Bid, and it is hereby mutually understood and agreed that in case the BIDDER does not, said Purchasing Division may proceed to award the contract to others.

BIDDER agrees to commence the work on the start date agreed between BIDDER and Project Manager, only after the contract is fully executed and Notice to Proceed has been issued.

BIDDER further declares that he/she has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with said bid.

BIDDER understands that LOW BIDDER will be determined by the lowest TOTAL BID AMOUNT submitted by a Bidder who is deemed Responsive and Responsible and complies with the specifications.

The quantities given on the Bid Form and any related contract documents are estimates only. They are given as a basis for comparison of Bids. The City of Visalia does not, expressly or impliedly, agree that the actual amount of work will correspond therewith and reserves the right to increase or decrease the amount of any class or portion of work, or to omit portion of the work, as the City deems necessary or advisable, at the prices Bid.

BIDDER has read and hereby agrees to the conditions stated in this bid by affixing his/her signature on the Bid Form.

In the case of discrepancy in amounts bid, unit pricing shall prevail over extended amounts.

Item	Description of Services per specifications of RFB-22-23-42			
A	Mowing/Shredding/Firebreak Operations	Unit Price (A)	Estimated Acreage (B)	Extended Price (A x B)
A1.	Less than 1 Acre	\$ 350 per 1/4 acre	.75 acre	\$ 2102.20
A2.	1 Acre – 5 Acres	\$_500 per acre	5 acres	\$2.500
A3.	Over 5 Acres	\$a50 per acre	30 acres	\$7,500
		Unit Price	Estimated Quantity	Extended Price
В	Handwork Operations	\$_55_ per person per hour*	17 hours	\$ 935
С	Junk & Trash Removal @ Property	\$_40 per ton**	3 tons	\$ 120-
D	Tree Trimming			-
D1.	Skirting Trees	\$_25 per person per hour*	5 hours	\$ 125
D2.	Tree Removal	n/a		AS QUOTED at time of request
D3.	Palm Tree trimming	\$_95_ per person per hour*	5 hours	\$ 125
E	Disposal of Weeds, Debris, Junk or Trash			
E1.	Labor, time, equipment for dumping	\$_40 per ton**	3 tons	\$_ <i>120</i> —
E2.	Dump Fees	n/a		ACTUAL COST
		TOTAL I	BID AMOUNT (Items A-E)	\$11,687,50

*	Work shall be rounded-up to the near Weights shall be rounded-up to the ne		
(1)	JCS Land Managemen		
(2)	Bidding Firm		
(2)	Corporation, Partner, Joint Venture		
(3)	10859 E Clarkson Ave		9363/
	Business Address City	State	Zip Code
	559-978-7730		
	Telephone Number	Fax Number	
	icsLandmantevahoo.com		
	E-mail Address		211-2-
	1/200		3/13/2013
	Signature of Authorized Person		(Date)
	Jasiel Contreras		
	Type or Print Authorized Person's Name		

PLEASE SEE THE FOLLOWING INSTRUCTIONS REGARDING SIGNATURE

- (1) If the BIDDER is an individual, enter name here in style used in business; if a joint venture, exact name of entities joining in the venture; if a partnership, the correct trade style of the partnership; if a corporation, the exact name of the corporation.
- (2) If BIDDER is other than an individual, identify here its character, i.e., joint venture, partnership, corporation, including the state of incorporation. If BIDDER is an individual operating under a trade name, state "an individual dba (trade name in full)".
- (3) State on this line, the address to which all communications and notices regarding the Bid Proposal, and any contract awarded thereunder, are to be addressed.
- (4) If BIDDER is a joint venture, signature must be by one of the joint venturers, and if one or both joint venturers is a partnership or a corporation, each participating partnership must sign by a general partner, and each corporation by an authorized officer or employee; if a partnership, by a general partner; if a corporation, by an authorized officer or employee. The title of the person signing must appear after his/her signature. Where BIDDER is a partnership or corporation, the names of all other general partners, or the president or secretary of the corporation and their business addresses must be shown below.

Note: All names must be typewritten under written signature. All Addresses must be complete with street number, city, state, and zip code.

BIDDING AGENCY: JCS Land Mant

BIDDING CONTRACTOR'S LICENSE INFORMATIO	N: CUI/OU?
STATE CONTRACTOR'S LICENSE INFORMATIO	93433 EXP. DATE: (0/30/202
STATE D.I.R. REGISTRATION # 1000941575	
FEDERAL TAX I.D. # 86-1956721	
CITY OF VISALIA BUSINESS TAX CERTIFICA Business Tax Certificate (license) is not required to obtain a Business Tax Certificate prior to commence contact the Business Tax Division with questions at	o submit a bid; however, vendor is required to ement of work within the City of Visalia. Please
CONTRACTOR'S REFERENCES : The following are for at least three (3) public agencies for which BIDD within the past five (5) years.	
NAME OF AGENCY: International Proper AGENCY ADDRESS: 1100 Musicat the Sanger	contact person: Joe Bejar PHONE #: 559-\$356-1031
NAME OF AGENCY: Best Buy Distribution AGENCY ADDRESS: 777 Monte Vista Dr. Din	contact person: Kent Ternander
NAME OF AGENCY: South West Transportation AGENCY ADDRESS: 16644 S. Elem And Can	contact person: Grand HUB_PHONE #: 559-230-7612
DESIGNATION OF SURETIES : The following are the all brokers and sureties from whom BIDDER intends	to procure insurance.
address: 4006 CA-49 # 103 Oakhurst, CA	_type of insurance: _telephone#: _539-U83-441)
COMPANY NAME:	
ADDRESS:	
COMPANY NAME:	
ADDRESS:	TELEPHONE#:







License Number 1093433

Entity CORP

BUSINESS NAME JCS LAND MANAGEMENT

Classification(s) C27 C61/D49 C-8 C61/D63

Expiration Date 06/30/2024

www.csib.ca.gov

Founded 1852



BUSINESS TAX CERTIFICATE

This certificate is to be displayed at your place of business. It is issued without verification that the holder is subject to or exempt from licensing by the State of California. This certificate does not constitute a permit to operate a business in violation of any law or ordinance.

Business

JCS LAND MANAGEMENT

Name:

Business Location: 1 OUT OF TOWN

VISALIA, CA 00000

Owner:

JASIEL CONTRERAS

Owner:



CITY OF VISALIA

707 W. Acequia Avenue Visalia, CA 93291 (559) 713-4326 www.visalia.city

Business Tax Number: **BL029910**

Bus Start Date: 01/03/2011

Expiration Date: 06/30/2023

Billing Period:

01/01/2023 - 06/30/2023

Business Description: CONTRACTOR

INIPUKTANT INFUKINATION.

BIDDER'S STATEMENT ON PREVIOUS CONTRACTS SUBJECT TO EQUAL EMPLOYMENT OPPORTUNITY CLAUSE (EXECUTIVE ORDER 11426)

Note: THIS FORM IS TO BE COMPLETED BY BIDDER AND SUBMITTED WITH BID.

The BIDDER shall complete the following statement by checking the appropriate blanks:

Within 24 hours after the bid opening, the three lowest bidders shall submit this form (completed and signed by each of their listed subcontractors). A scanned copy will be accepted; however, the original copies must be mailed or hand-delivered.

The BIDDER has has Employment Opportunity Cl 24, 1965.	not participated in a previous contract subject to the Equal lause prescribed by Executive Order 11246, as amended, of September
contract due under the	not submitted all compliance reports in connection with any such applicable filing requirements; and that representations indicating pliance reports signed by proposed subBIDDERs will be awarded prior to
Clause and has not submit	ted in previous contracts subject to the Equal Employment Opportunity ted compliance reports due under applicable filing requirements, the appliance report on Standard Form 100, "Employee Information Report contract.
Note: Failure to complete the	e blanks may be grounds for rejecting the bid.
Company:	JCS Land Management
Business Address:	OCS Land Management 10859 E Clarkson Ave Kingsburg CA 9363/
Signature:	- Ou A
Name of Signing Official:	Jasiel Confreras
Title of Signing Official:	President
Date:	3/13/2023
Company Seal:	. ,

EXHIBIT "B-2"

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE CERTIFICATE (EXECUTIVE ORDER 11246)

Equal Opportunity Clause

Unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Executive Orders 10925, 11114 or Section 204 of Executive Order 11246 of September 24, 1965, during the performance of each contract with the City of Visalia, the BIDDER agrees as follows:

- 1. The BIDDER will not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, or political affiliation. The BIDDER will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, gender, national origin, or political affiliation. Such action shall include, but not be limited to, the following: employment upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The BIDDER agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- 2. The BIDDER will, in all solicitations or advertisements for employees, placed by or on behalf of the BIDDER, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, national origin or political affiliation.
- 3. The BIDDER will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or the workers' representative of the BIDDER's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice on conspicuous places available to employees and applicants for employment.
- 4. The BIDDER will comply with all provisions of Executive Order 11246 of September 24, 1965, and the rules, regulations, and relevancy orders of the Secretary of Labor.
- 5. The BIDDER will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and relevant orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- 6. In the event of the BIDDER's non-compliance with the non-discrimination clauses of this subcontract or with any of such rules, regulations or orders, this subcontract may be canceled, terminated or suspended, in whole, or in part and the BIDDER may be declared ineligible for further government contracts in accordance with the procedures authorized in accordance with Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or otherwise provided by law.
- 7. The BIDDER will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each SUBBIDDER or vendor. The BIDDER will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for non-compliance. Provided, however, that in the event the BIDDER becomes involved in, or is threatened with litigation with a SUBBIDDER or vendor as a result of such direction by the contracting agency, the BIDDER may request the United States to enter into such litigation to protect the interest of the United States.

Company Name: JCS Land Managemen	nt
	the Kingsburg CA 93631
Signature:	Date: 3 13 2023
Name of Signing Official (Print or Type): Jasie	Contreras
Title of Signing Official: Presdent	Company Seal:

CERTIFICATE OF NONSEGREGATED FACILITIES (BIDDERS/SUBCONTRACTORS)

- 1. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise.
- 2. By the submission of a bid, the BIDDER certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The BIDDER agrees that a breach of this certification is a violation of the Equal Opportunity clause in the contract.
- 3. By submission of the bid, the BIDDER further agrees that (except where it has obtained identical certifications from proposed SUBCONTRACTORs for specific time periods) it will:
 - Obtain identical certifications from proposed SUBCONTRACTORs before the award of subcontracts under which the SUB-BIDDER will be subject to the Equal Opportunity clause;
 - (b) Retain such certifications in its files; and

TAN

(c) Forward this certification and the following notice to the proposed SUBCONTRACTORs:

NOTICE OF PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATION OF NONSEGREGATED FACILITIES

A certificate of Nonsegregated Facilities must be submitted before the award of a subcontract under which the SUBCONTRACTOR will be subject to the equal Opportunity clause. The certification may be submitted either for each SUBCONTRACTOR for all subcontracts during a period (i.e., quarterly, semi-annually, or annually).

4. By commencing performance of the Contract work, the selected BIDDER certifies to the Nonsegregated Facilities provisions above.

1

Company:	JCS Land Manag	gement	
Business Address:	10859 E Clarkson	Are Kingsburg CA. 93	43)
Signature:	In a	Date: 3/13/2023	
Name of Signing Offi	cial (Print or Type):	Contreras	
Title of Signing Offici	Donathut	Company Seal:	

NON-COLLUSION AFFIDAVIT

	,
STATE OF CALIFORNIA	
CITY OF VISALIA) ss	
the party making the foregoes behalf of, any undisclosed person, part that the Bid is genuine and not collust induced or solicited any other BIDD indirectly colluded, conspired, conniver Bid, or that anyone shall refrain from indirectly, sought by agreement, communication of any other BIDDER, or to secure of anyone interested in the proposed of further, that the BIDDER has not, of breakdown thereof, or the contents the and will not pay, any fee to any correspond to the property of the contents the secure of the secure of the contents the secure of the contents the secure of the sec	duly sworn, deposes and says that he or she is or going Bid; that the Bid is not made in the interest of, or on the strong company, association, organization, or corporation sive or sham; that the BIDDER has not directly or indirectly ER to put in a false or sham Bid, and has not directly or d, or agreed with any BIDDER or anyone else to put in a sham Bidding; that the BIDDER has not in any manner, directly or unication, or conference with anyone to fix the Bid price of the fix any overhead, profit, or cost element of the Bid price, or of any advantage against the public body awarding the contract ontract; that all statements contained in the Bid are true; and directly or indirectly, submitted his or her Bid price or any ereof, or divulged information or data relative thereto, or paid coration, partnership, company association, organization, bid thereof to effectuate a collusive or sham Bid.
Company: <u>JCS 1</u>	and Management
Business Address: 10859	E clarkson Ave Kingsburg CA. 93631
Signature:	ny
Name of Signing Official:	el Contreras
	sident
Date:	13/2013
Company Seal:	
A notary public or other officer completing the document to which this certificate is att	this certificate verifies only the identity of the individual who signed ached, and not the truthfulness, accuracy, or validity of that document.
State of California Fresno	
On this day of be Public, personally appeared for evidence to be the person(s) whose name(s) that he/she/they executed the same in his	1
I certify under PENALTY OF PERJURY und true and correct WITNESS my hand and official seal. Signature	SUMMER REA NOTARY PUBLIC - CALIFORNIA COMMISSION # 2351610 FRESNO COUNTY My Comm. Exp. March 15, 2025

RFB NO. 22-23-42 Annual Contract for Abatement Services of Undeveloped Properties Page 25

WORKERS' COMPENSATION INSURANCE CERTIFICATE (CALIF. LABOR CODE § 3700)

STATE OF CALIFORNIA)
) s
CITY OF VISALIA)

Company Seal:

I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work under this contract.

Company:	JCS Land Management	
Business Address:	10859 E clarkson Ave Kingsburg	CA . 93631
Signature:		
Name of Signing Official:	Jasiel Contreras	
Title of Signing Official:	President	
Date:	3/13/2023	

CERTIFICATION OF ANTI-KICKBACK COMPLIANCE CERTIFICATE (48 Stat. 948; 62 Stat. 740; 63 Stat. 108; Title 18 U.S.C. § 8741; and 40 U.S.C. (c))

By submission of a Bid, the BIDDER certifies that neither it nor any of its employees has performed or participated in any prohibited actions, as defined in that provision, relating to the award of the Contract. By commencing performance of the Contract work, the selected BIDDER certifies to Anti-Kickback Compliance.

Company:	JCS Land Management
Business Address:	10859 E Clarkson Ave Kingsburg CA. 9363,
Signature:	/r ##
Name of Signing Official:	President
Title of Signing Official:	Jase Confrenz
Date:	3/13/2023
Company Seal:	

AMERICANS WITH DISABILITIES ACT COMPLIANCE CERTIFICATE

By submission of a bid, the BIDDER certifies it will comply with the Americans with Disabilities Act, 42 U.S.C., 12101 et. seq., and will maintain compliance throughout the life of this Contract. By commencing performance of the Contract work, the selected BIDDER certifies to the Americans with Disabilities Act compliance.

Company:	JCS Land Management	
Business Address:	10859 E Clarkson Ave Kingsburg CA. 93	431
Signature:	In S	
Name of Signing Official:	Jasiel Contraras	
Title of Signing Official:	President	
Date:	3 13 2023	
Company Seal:		

CITY OF VISALIA, CA

Ownership Disclosure for Contractors and Consultants

NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:
Firm Name: JCS Land Management Firm Address: 10859 E Clarkson Ave Kingsburg CA. 93631
List the names of all principals, partners, and/or trustees. For corporations provide names of officers, directors and all stockholders owning more than 10% equity interest in corporation:
Jasiel Contreras, President , Chief Financial Officer. Mana Contreras, Secretary & Dieector
Mana Contrepps, Secretary & Dieector
, , , , , , , , , , , , , , , , , , , ,
Submitted by: Name Jasie Controlas
Submitted by: Name Jasie Confreras Date 3 13 2023

EXHIBIT "B-9"

STATE OF CALIFORNIA

DRUG-FREE WORKPLACE CERTIFICATION

STD.21 (REV.10-2019)

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.

CONTRACTOR/BIDDER FIRM NAME	FEDERAL ID NUMBER
JCS Land Management	
BY (Authorized Signature)	DATE EXECUTED
Jasie Contrelas	3/13/2023
PRINTED NAME AND TITLE OF PERSON SIGNING	TELEPHONE NUMBER (Include Area
- // /	Code)
after	(559) 978-7730
TIPLE /	
President	
CONTRACTOR/BIDDER FIRM'S MAILING ADDRESS	
10859 E clarkson the Kingsburg CA 93631	
9	

The contractor or grant recipient named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above-named contractor or grant recipient will:

- 1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
- 2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all the following:
 - (a) The dangers of drug abuse in the workplace,
 - (b) The person's or organization's policy of maintaining a drug-free workplace,
 - (c) Any available counseling, rehabilitation, and employee assistance programs, and
 - (d) Penalties that may be imposed upon employees for drug abuse violations.
- 3. Provide as required by Government Code Section 8355©, that every employee who works on the proposed contract or grant:
 - (a) Will receive a copy of the company's drug-free workplace policy statement, and
 - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

IRAN CONTRACTING ACT CERTIFICATION

(Public Contract Code Section 2200 et seq.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 et seq.) is true and correct:

- The Contractor is not:
- (1) Identified on the current list of persons and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or
- (2) A financial institution that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.
- The City has exempted the Contractor from the requirements of the Iran Contracting Act of \bigcirc 2010 after making a public finding that, absent the exemption, the City will be unable to obtain the goods and/or services to be provided pursuant to the Contract.
- The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000 over the life of the contract (up to 5 years).

Printed Name: Jasiel Contreras
Agency Name: JCS Larel Management Signature:

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or eligibility to bid on contracts for three years.

City of Visalia, CA

707 West Acequia, Visalia, CA 93291



Purchasing Department

Tel: (559) 713-4334 Fax: (559) 713-4801

ADDENDUM NO. 01

Issued:

March 6, 2023

Project:

Annual Contract for Abatement Services of Undeveloped Properties

RFP No.:

RFB 22-23-42

Bids Due:

Monday, March 13, 2023 @ 2:00 p.m.

Addendum No. 01 is being issued to answer questions received pertaining to the project and to provide any pertinent wage updates. This addendum becomes part of the Contract Documents for the above project and must be signed and submitted with Bid.

ITEM 1: QUESTIONS/RESPONSES

Q1: Would having a Class A General Eng. License be sufficient with references of performing similar work?

R1: Yes, a Class A license will suffice.

Q2: To clarify, no disking is required for this bid?

R2: Correct. Disking may be used for fire breaks but is not otherwise needed.

Q3: What if we encounter hazardous waste?

R3: Please notify the Project Manager and the City will handle the issue.

Q4: Is there a current list of properties to be abated?

R4: The City will begin inspections of City owned properties on 4/1/23 and privately owned properties on 5/1/23. The list will be created based on these inspections.

Q5. Do you have a rough number of how many work orders are issued per year?

R5. Below is a monthly breakdown of inspections for the past five (5) years:

January	1	July	3
February	2	August	4
March	10	September	2
April	25	October	2
May	29	November	1
June	15	December	2

Q6. Why the change from disking to mowing?

R6. There were issues with the dirt not getting fully overturned so a decision was made to switch to moving in this contract.

Q7. When will we be required to mow- when the grass is still green or after it has dried?

R7. Inspections will begin April 1st for City owned vacant parcels, Inspectors will begin issuing work orders on April 3rd. Work orders will begin being issued for privately owned lots on or around May 15th.

ITEM 2: PREVAILING WAGES

There were no changes to the wage determinations provided in the initial bid documents.

BIDDER ACKNOWLEDGMENT OF ADDENDUM NO. 1

Srijalva Landscaping

Date: 3-10-23

/s/ Purchasing Division (559) 713-4334

Bidder to sign and submit with Bid.

Firm:

By: Signature

Bidding Agency: De Grijche Landscap

EXHIBIT "A" BID FORM RFB NO. 22-23-42

Project: ANNUAL CONTRACTO FOR ABATEMENT SERVICES OF UNDEVELOPED PROPERTIES

TO: THE CITY OF VISALIA PURCHASING DIVISION:

In compliance with the City's Notice Inviting Sealed Bids No. 22-23-42 dated: ______, the undersigned BIDDER hereby proposes to furnish all materials, equipment, tools, labor appurtenances and incidentals required for the above stated project as set forth in the RFB, including all Exhibits and related contract documents therefore, and to perform all work in the manner and time prescribed therein.

BIDDER declares that this proposal is based upon careful examination of the work site, Instructions to BIDDERs, and the contract requirements. If this proposal is accepted for award, BIDDER agrees to enter into a contract with CITY at the unit and/or lump sum prices set forth in the following Bid Schedule.

BIDDER understands that a bid is required for the entire work and that final compensation under the contract will be based upon the actual quantities of work satisfactorily completed. It is agreed that all prices bid include all appurtenant expenses, taxes, royalties, and fees. All bids will be checked for accuracy. In the case of discrepancies in amounts bid, unit prices shall govern over extended amounts.

BIDDER hereby agrees to execute a contract within ten (10) working days, or such further time as may be allowed in writing by the Purchasing Division, after receiving notification of the acceptance of this Bid, and it is hereby mutually understood and agreed that in case the BIDDER does not, said Purchasing Division may proceed to award the contract to others.

BIDDER agrees to commence the work on the start date agreed between BIDDER and Project Manager, only after the contract is fully executed and Notice to Proceed has been issued.

BIDDER further declares that he/she has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with said bid.

BIDDER understands that LOW BIDDER will be determined by the lowest TOTAL BID AMOUNT submitted by a Bidder who is deemed Responsive and Responsible and complies with the specifications.

The quantities given on the Bid Form and any related contract documents are estimates only. They are given as a basis for comparison of Bids. The City of Visalia does not, expressly or impliedly, agree that the actual amount of work will correspond therewith and reserves the right to increase or decrease the amount of any class or portion of work, or to omit portion of the work, as the City deems necessary or advisable, at the prices Bid.

BIDDER has read and hereby agrees to the conditions stated in this bid by affixing his/her signature on the Bid Form.

In the case of discrepancy in amounts bid, unit pricing shall prevail over extended amounts.

Item	Description of Services per specifications of RFB-22-23-42			
A	Mowing/Shredding/Firebreak Operations	Unit Price	Estimated Acreage (B)	Extended Price (A x B)
A1.	Less than 1 Acre	\$_185 per 1/4 acre	.75 acre	\$533
A2.	1 Acre – 5 Acres	\$_185 per acre	5 acres	\$ 925
A3.	Over 5 Acres	\$_/83 per acre	30 acres	\$5530
		Unit Price	Estimated Quantity	Extended Price
В	Handwork Operations	\$ 58.30 per person per hour*	17 hours	\$654.50
С	Junk & Trash Removal @ Property	\$_60 per ton**	3 tons	\$ 180,00
D	Tree Trimming	~~		
D1.	Skirting Trees	\$38.50 per person per hour*	5 hours	\$ 192.50
D2.	Tree Removal	oc on n/a		AS QUOTED at time of request
D3.	Palm Tree trimming	\$58,50 per person per hour*	5 hours	\$ 192.50
E	Disposal of Weeds, Debris, Junk or Trash			- O
E1.	Labor, time, equipment for dumping	\$ 105 per ton**	3 tons	\$315
E2.	Dump Fees	n/a		ACTUAL COST
		TOTAL B	BID AMOUNT (Items A-E)	\$8564.57

*	work shall be rounded-up to the hearest 72 hour.
(1)	Soe Grijalva Landscapa Bidding Firm
(2)	Sule proprietor Corporation, Partner, Joint Venture
(3)	1025 Beverly DR Tolane CA 93274 Business Address City State Zip Code
-	559-736-2475
	Telephone Number Fax Number
	loeglandscape construction DAOL. com
	E-mail Address
(4)	2-10-23
` ,	Signature of Authorized Person (Date)
	Jap Grijalva
	Type or Print Authorized Person's Name

PLEASE SEE THE FOLLOWING INSTRUCTIONS REGARDING SIGNATURE

- (1) If the BIDDER is an individual, enter name here in style used in business; if a joint venture, exact name of entities joining in the venture; if a partnership, the correct trade style of the partnership; if a corporation, the exact name of the corporation.
- (2) If BIDDER is other than an individual, identify here its character, i.e., joint venture, partnership, corporation, including the state of incorporation. If BIDDER is an individual operating under a trade name, state "an individual dba (trade name in full)".
- (3) State on this line, the address to which all communications and notices regarding the Bid Proposal, and any contract awarded thereunder, are to be addressed.
- (4) If BIDDER is a joint venture, signature must be by one of the joint venturers, and if one or both joint venturers is a partnership or a corporation, each participating partnership must sign by a general partner, and each corporation by an authorized officer or employee; if a partnership, by a general partner; if a corporation, by an authorized officer or employee. The title of the person signing must appear after his/her signature. Where BIDDER is a partnership or corporation, the names of all other general partners, or the president or secretary of the corporation and their business addresses must be shown below.

Note: All names must be typewritten under written signature. All Addresses must be complete with street number, city, state, and zip code.

BIDDING AGENCY Jue Grijalva lands cape

BIDDING CONTRACTOR'S LICENSE INFORMATIO	
STATE CONTRACTOR'S LIC. CLASS: \mathcal{Q} -27 #	842589 EXP. DATE: 7-31-2
STATE D.I.R. REGISTRATION # PW-LR-100	0462784
FEDERAL TAX I.D. # 800058243	
CITY OF VISALIA BUSINESS TAX CERTIFICA Business Tax Certificate (license) is not required to obtain a Business Tax Certificate prior to commence contact the Business Tax Division with questions at	o submit a bid; however, vendor is required to ement of work within the City of Visalia. Please
CONTRACTOR'S REFERENCES : The following are for at least three (3) public agencies for which BIDD within the past five (5) years.	
REFERENCE 1	
NAME OF AGENCY: CITY of Visalian AGENCY ADDRESS: 315 E Acreguia Ava	CONTACT PERSON: Stive, Jeff
AGENCY ADDRESS: 315 E ACRGUIG AVE	PHONE #: 339 - 713 - 4539
REFERENCE 2	
NAME OF AGENCY: CITY OF Corterville	CONTACT PERSON: Clay fon Dignam
NAME OF AGENCY: CITY OF Porterville AGENCY ADDRESS: 291 N. Main St.	CONTACT PERSON: Clay fon Dignam PHONE #: 559-782-7526
REFERENCE 3 NAME OF AGENCY: Tolare County AGENCY ADDRESS: 5761 S. Mooney Bld.	CONTACT PERSON: Francisco Benitez_ PHONE #: 559-802-9809
DESIGNATION OF SURETIES : The following are the	
all brokers and sureties from whom BIDDER intends	s to procure insurance.
COMPANY NAME: Leaders Choice	TYPE OF INSURANCE: LIGBILITY
ADDRESS: 700 E St. Sacrements CA	/
AD (1000), (
COMPANY NAME:	_TYPE OF INSURANCE:
ADDRESS:	TELEPHONE#:
COMPANY NAME:	TYPE OF INSURANCE:
ADDRESS:	_TELEPHONE#:

BIDDER'S STATEMENT ON PREVIOUS CONTRACTS SUBJECT TO EQUAL EMPLOYMENT OPPORTUNITY CLAUSE (EXECUTIVE ORDER 11426)

Note: THIS FORM IS TO BE COMPLETED BY BIDDER AND SUBMITTED WITH BID.

Within 24 hours after the bid opening, the three lowest bidders shall submit this form (completed and signed by each of their listed subcontractors). A scanned copy will be accepted; however, the original copies must be mailed or hand-delivered.

The BIDDER shall complete the following statement by checking the appropriate blanks:			
The BIDDER has has not participated in a previous contract subject to the Equal Employment Opportunity Clause prescribed by Executive Order 11246, as amended, of September 24, 1965.			
The BIDDER has has not submitted all compliance reports in connection with any such contract due under the applicable filing requirements; and that representations indicating submission of required compliance reports signed by proposed subBIDDERs will be awarded prior to award of subcontracts.			
If the BIDDER has participated in previous contracts subject to the Equal Employment Opportunity Clause and has not submitted compliance reports due under applicable filing requirements, the BIDDER shall submit a compliance report on Standard Form 100, "Employee Information Report EEO-I" prior to award of the contract.			
Note: Failure to complete the blanks may be grounds for rejecting the bid.			
Company: Joe Griplia Landscape Business Address: 105 Beverly DR. Tulere CA 93214			
Business Address: 105 Beverly DR. Tulere CA 93274			
Signature:			
Name of Signing Official: Toe Grijalus			
Title of Signing Official:			
Date: 3-10-23			
Company Seal:			

EXHIBIT "B-2"

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE CERTIFICATE (EXECUTIVE ORDER 11246)

Equal Opportunity Clause

Unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Executive Orders 10925, 11114 or Section 204 of Executive Order 11246 of September 24, 1965, during the performance of each contract with the City of Visalia, the BIDDER agrees as follows:

- 1. The BIDDER will not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, or political affiliation. The BIDDER will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, gender, national origin, or political affiliation. Such action shall include, but not be limited to, the following: employment upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The BIDDER agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- 2. The BIDDER will, in all solicitations or advertisements for employees, placed by or on behalf of the BIDDER, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, national origin or political affiliation.
- 3. The BIDDER will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or the workers' representative of the BIDDER's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice on conspicuous places available to employees and applicants for employment.
- 4. The BIDDER will comply with all provisions of Executive Order 11246 of September 24, 1965, and the rules, regulations, and relevancy orders of the Secretary of Labor.
- 5. The BIDDER will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and relevant orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- 6. In the event of the BIDDER's non-compliance with the non-discrimination clauses of this subcontract or with any of such rules, regulations or orders, this subcontract may be canceled, terminated or suspended, in whole, or in part and the BIDDER may be declared ineligible for further government contracts in accordance with the procedures authorized in accordance with Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or otherwise provided by law.
- 7. The BIDDER will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each SUBBIDDER or vendor. The BIDDER will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the BIDDER becomes involved in, or is threatened with litigation with a SUBBIDDER or vendor as a result of such direction by the contracting agency, the BIDDER may request the United States to enter into such litigation to protect the interest of the United States.

Company Name: Joe Grijstra Landscape	
Business Address 4025 Beverly DR. Mare CA	73274
Signature:	Date: 3-10-23
Name of Signing Official (Print or Type):	
Title of Signing Official: Obner	Company Seal:

CERTIFICATE OF NONSEGREGATED FACILITIES (BIDDERS/SUBCONTRACTORS)

- 1. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise.
- 2. By the submission of a bid, the BIDDER certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The BIDDER agrees that a breach of this certification is a violation of the Equal Opportunity clause in the contract.
- 3. By submission of the bid, the BIDDER further agrees that (except where it has obtained identical certifications from proposed SUBCONTRACTORs for specific time periods) it will:
 - (a) Obtain identical certifications from proposed SUBCONTRACTORs before the award of subcontracts under which the SUB-BIDDER will be subject to the Equal Opportunity clause;
 - (b) Retain such certifications in its files; and
 - (c) Forward this certification and the following notice to the proposed SUBCONTRACTORs:

NOTICE OF PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATION OF NONSEGREGATED FACILITIES

A certificate of Nonsegregated Facilities must be submitted before the award of a subcontract under which the SUBCONTRACTOR will be subject to the equal Opportunity clause. The certification may be submitted either for each SUBCONTRACTOR for all subcontracts during a period (i.e., quarterly, semi-annually, or annually).

4. By commencing performance of the Contract work, the selected BIDDER certifies to the Nonsegregated Facilities provisions above.

Company:	Jue Gryalua	Landscape
Business Address	: 1025 Beverly	DR Tolane CA 93274
Signature:		Date: 3-10-23
Name of Signing C	Official (Print or Type):	brijelva -
Title of Signing Of	ficial: Ohner	Company Seal:

	NON-COLLUSION AFFIDAVIT	
be the ince ince Birtha of further and the control of the control	STY OF VISALIA) ss TY OF VISALIA) being first duly sworn, deposes and says that the party making the foregoing Bid; that the Bid is not made half of, any undisclosed person, partnership, company, association, or at the Bid is genuine and not collusive or sham; that the BIDDER has duced or solicited any other BIDDER to put in a false or sham Bid directly colluded, conspired, connived, or agreed with any BIDDER or any directly, sought by agreement, communication, or conference with anyon DDER or any other BIDDER, or to fix any overhead, profit, or cost element of any other BIDDER, or to secure any advantage against the public be anyone interested in the proposed contract; that all statements contained ther, that the BIDDER has not, directly or indirectly, submitted his eakdown thereof, or the contents thereof, or divulged information or dated will not pay, any fee to any corporation, partnership, company assepository, or to any member or agent thereof to effectuate a collusive or should be a collusive or should be a collusive or should be anyone to any member or agent thereof to effectuate a collusive or should be anyone to any member or agent thereof to effectuate a collusive or should be anyone to any member or agent thereof to effectuate a collusive or should be anyone to any member or agent thereof to effectuate a collusive or should be anyone to any member or agent thereof to effect the anyone that the BIDDER is any or any member or agent thereof to effect the anyone that the BIDDER is any or any member or agent thereof to effect the anyone and says that the BIDDER is any or any member or agent thereof to effect the anyone and says that the BIDDER is any or any member or agent thereof to effect the any or an	e in the interest of, or or ganization, or corporation on the directly or indirectly or and has not directly or yone else to put in a shame in any manner, directly or e to fix the Bid price of the lent of the Bid price, or or ody awarding the contract d in the Bid are true; and or her Bid price or any a relative thereto, or paid point of the Bid.
Bu Sig Na Tit Da	mpany: Jos Grijelve Leadscope Isiness Address: me of Signing Official: Ite: Jos Grijelve Leadscope Joseph Joseph Joseph Joseph Joseph Joseph Joseph Joseph Joseph Joseph Joseph Joseph Joseph Jose	2 97214 - -
On Pu per evi tha sig the I co tru	A notary public or other officer completing this certificate verifies only the identity of the document to which this certificate is attached, and not the truthfulness, accuracy, or atte of California unity of this day of before me, Occarred to the within instrument the person(s) whose name(s) is/are subscribed to the within instrument the/she/they executed the same in his/her/their authorized capacity(ies), and nature(s) on the instrument the person(s), or the entity upon behalf of which the instrument. Pertify under PENALTY OF PERJURY under the laws of the State of California that the and correct the same in	, a Notary e on the basis of satisfactory ent and acknowledged to me that by his/her/their person(s) acted, executed

RFB NO. 22-23-42 Annual Contract for Abatement Services of Undeveloped Properties Page 25

WORKERS' COMPENSATION INSURANCE CERTIFICATE (CALIF. LABOR CODE § 3700)

STATE OF CALIFORNIA)
) ss
CITY OF VISALIA)

I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work under this contract.

Company:	Jue Grijalva Landscape
Business Address:	1025 Boverly DR. Tulare CA 93274
Signature:	
Name of Signing Official:	Jue Grijalus
Title of Signing Official:	Owner
Date:	3-10-23
Company Seal:	

CERTIFICATION OF ANTI-KICKBACK COMPLIANCE CERTIFICATE (48 Stat. 948; 62 Stat. 740; 63 Stat. 108; Title 18 U.S.C. § 8741; and 40 U.S.C. (c))

By submission of a Bid, the BIDDER certifies that neither it nor any of its employees has performed or participated in any prohibited actions, as defined in that provision, relating to the award of the Contract. By commencing performance of the Contract work, the selected BIDDER certifies to Anti-Kickback Compliance.

Company:	Joe Grijelva Landscape
Business Address:	1005 Beverly DR. Tulare CA 93274
Signature:	
Name of Signing Official:	Joe Gripling
Title of Signing Official:	Ownar
Date:	3-10-23
Company Seal:	

AMERICANS WITH DISABILITIES ACT COMPLIANCE CERTIFICATE

By submission of a bid, the BIDDER certifies it will comply with the Americans with Disabilities Act, 42 U.S.C., 12101 et. seq., and will maintain compliance throughout the life of this Contract. By commencing performance of the Contract work, the selected BIDDER certifies to the Americans with Disabilities Act compliance.

Company:	Dol Grijalva Landscape
Business Address:	1025 Beverly DR. Tulane 04 93074
Signature:	
Name of Signing Official:	Jor Gorjalug
Title of Signing Official:	Orner
Date:	3-10-23

Company Seal:

EXHIBIT "B-8"

CITY OF VISALIA, CA

Ownership Disclosure for Contractors and Consultants

NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:
Firm Name: Joe Grijslyg Firm Address: 1025 Beverly DR. Tulare CA 93274
List the names of all principals, partners, and/or trustees. For corporations provide names of officers, directors and all stockholders owning more than 10% equity interest in corporation:
Ju Grijalva 100%
Submitted by: Name $3-10-23$

EXHIBIT "B-9"

STATE OF CALIFORNIA

DRUG-FREE WORKPLACE CERTIFICATION

STD.21 (REV.10-2019)

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.

CONTRACTOR/BIDDER FIRM NAME	FEDERAL ID NUMBER
Joe Grijelve Landscape	800058243
BY (Authorized Signature)	DATE EXECUTED
	3-10-23
PRINTED NAME AND TITLE OF PERSON SIGNING	TELEPHONE NUMBER (Include Area
	Code)
Jal Grijalva	\$39 736-2475
TITLE	
Ornal	
CONTRACTOR/BIDDER FIRM'S MAILING ADDRESS	
1025 Bewely DR. Tulane CA 93274	

The contractor or grant recipient named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above-named contractor or grant recipient will:

- 1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
- 2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all the following:
 - (a) The dangers of drug abuse in the workplace,
 - (b) The person's or organization's policy of maintaining a drug-free workplace,
 - (c) Any available counseling, rehabilitation, and employee assistance programs, and
 - (d) Penalties that may be imposed upon employees for drug abuse violations.
- Provide as required by Government Code Section 8355©, that every employee who works on the proposed contract or grant:
 - (a) Will receive a copy of the company's drug-free workplace policy statement, and
 - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.
- 4. At the election of the contractor or grantee, from and after the "Date Executed" and until __________(NOT TO EXCEED 36 MONTHS), the state will regard this certificate as valid for all contracts or grants entered into between the contractor or grantee and this state agency without requiring the contractor or grantee to provide a new and individual certificate for each contract or grant. If the contractor or grantee elects to fill in the blank date, then the terms and conditions of this certificate shall have the same force, meaning effect and enforceability as if a certificate were separately, specifically, and individually provided for each contract or grant between the contractor or grantee and this state agency.

IRAN CONTRACTING ACT CERTIFICATION

(Public Contract Code Section 2200 et seg.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 et seq.) is true and correct:

The Contractor is not:

- (1) Identified on the current list of persons and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or
- (2) A financial institution that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.
- \bigcirc The City has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the City will be unable to obtain the goods and/or services to be provided pursuant to the Contract.
- The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000 over the life of the contract (up to 5 years).

Signature

Printed Name: Jee Grijalus
Agency Name: The Grijalus Landsegne Title

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or eligibility to bid on contracts for three years.

City of Visalia, CA

707 West Acequia, Visalia, CA 93291



Purchasing Department

Tel: (559) 713-4334 Fax: (559) 713-4801

ADDENDUM NO. 01

Issued:

March 6, 2023

Project:

Annual Contract for Abatement Services of Undeveloped Properties

RFP No.:

RFB 22-23-42

Bids Due:

Monday, March 13, 2023 @ 2:00 p.m.

Addendum No. 01 is being issued to answer questions received pertaining to the project and to provide any pertinent wage updates. This addendum becomes part of the Contract Documents for the above project and must be signed and submitted with Bid.

ITEM 1: QUESTIONS/RESPONSES

Q1: Would having a Class A General Eng. License be sufficient with references of performing similar work?

R1: Yes, a Class A license will suffice.

Q2: To clarify, no disking is required for this bid?

R2: Correct. Disking may be used for fire breaks but is not otherwise needed.

Q3: What if we encounter hazardous waste?

R3: Please notify the Project Manager and the City will handle the issue.

Q4: Is there a current list of properties to be abated?

R4: The City will begin inspections of City owned properties on 4/1/23 and privately owned properties on 5/1/23. The list will be created based on these inspections.

Q5. Do you have a rough number of how many work orders are issued per year?

R5. Below is a monthly breakdown of inspections for the past five (5) years:

January	1	July	3
February	2	August	4
March	10	September	2
April	25	October	2
May	29	November	1
June	15	December	2

Q6. Why the change from disking to mowing?

R6. There were issues with the dirt not getting fully overturned so a decision was made to switch to moving in this contract.

Q7. When will we be required to mow- when the grass is still green or after it has dried?

R7. Inspections will begin April 1st for City owned vacant parcels, Inspectors will begin issuing work orders on April 3rd. Work orders will begin being issued for privately owned lots on or around May 15th.

ITEM 2: PREVAILING WAGES

There were no changes to the wage determinations provided in the initial bid documents.

BIDDER ACKNOWLEDGMENT OF ADDENDUM NO. 1

/s/ Purchasing Division (559) 713-4334

Bidder to sign and submit with Bid.

By: Signature Date: 3-/3-73

Bidding Agency: MP ENVIRONMENTAL

EXHIBIT "A" BID FORM RFB NO. 22-23-42

Project: ANNUAL CONTRACTO FOR ABATEMENT SERVICES OF UNDEVELOPED PROPERTIES

TO: THE CITY OF VISALIA PURCHASING DIVISION:

In compliance with the City's Notice Inviting Sealed Bids No. 22-23-42 dated: 3-13-73, the undersigned BIDDER hereby proposes to furnish all materials, equipment, tools, labor appurtenances and incidentals required for the above stated project as set forth in the RFB, including all Exhibits and related contract documents therefore, and to perform all work in the manner and time prescribed therein.

BIDDER declares that this proposal is based upon careful examination of the work site, Instructions to BIDDERs, and the contract requirements. If this proposal is accepted for award, BIDDER agrees to enter into a contract with CITY at the unit and/or lump sum prices set forth in the following Bid Schedule.

BIDDER understands that a bid is required for the entire work and that final compensation under the contract will be based upon the actual quantities of work satisfactorily completed. It is agreed that all prices bid include all appurtenant expenses, taxes, royalties, and fees. All bids will be checked for accuracy. In the case of discrepancies in amounts bid, unit prices shall govern over extended amounts.

BIDDER hereby agrees to execute a contract within ten (10) working days, or such further time as may be allowed in writing by the Purchasing Division, after receiving notification of the acceptance of this Bid, and it is hereby mutually understood and agreed that in case the BIDDER does not, said Purchasing Division may proceed to award the contract to others.

BIDDER agrees to commence the work on the start date agreed between BIDDER and Project Manager, only after the contract is fully executed and Notice to Proceed has been issued.

BIDDER further declares that he/she has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with said bid.

BIDDER understands that LOW BIDDER will be determined by the lowest TOTAL BID AMOUNT submitted by a Bidder who is deemed Responsive and Responsible and complies with the specifications.

The quantities given on the Bid Form and any related contract documents are estimates only. They are given as a basis for comparison of Bids. The City of Visalia does not, expressly or impliedly, agree that the actual amount of work will correspond therewith and reserves the right to increase or decrease the amount of any class or portion of work, or to omit portion of the work, as the City deems necessary or advisable, at the prices Bid.

BIDDER has read and hereby agrees to the conditions stated in this bid by affixing his/her signature on the Bid Form.

In the case of discrepancy in amounts bid, unit pricing shall prevail over extended amounts.

Item	Description of Services per specifications of RFB-22-23-42			
A	Mowing/Shredding/Firebreak Operations	Unit Price (A)	Estimated Acreage (B)	Extended Price (A x B)
A1.	Less than 1 Acre	\$ 810 per 1/4 acre	.75 acre	\$ 2,430
A2.	1 Acre – 5 Acres	\$_800_ per acre	5 acres	\$ 4,000
A3.	Over 5 Acres	\$_723 per acre	30 acres	\$ 21,690
		Unit Price	Estimated Quantity	Extended Price
В	Handwork Operations	\$ per person per hour*	17 hours	\$ 1,870
С	Junk & Trash Removal @ Property	\$_ 495 _ per ton**	3 tons	\$ 1,485
D	Tree Trimming			
D1.	Skirting Trees	\$_//O per person per hour*	5 hours	\$ 550
D2.	Tree Removal	n/a		AS QUOTED at time of request
D3.	Palm Tree trimming	\$_ 23 0 per person per hour*	5 hours	\$ 1,150
E	Disposal of Weeds, Debris, Junk or Trash			
E1.	Labor, time, equipment for dumping	\$ 275 per ton**	3 tons	\$ 825
E2.	Dump Fees	n/a		ACTUAL COST
		TOTAL B	ID AMOUNT (Items A-E)	\$34,000

*	Work shall be rounded-up to the nearest ½ hour.
**	Weights shall be rounded-up to the nearest ½ ton.

(1) MP ENVIRONMENTAL SERVICES
Bidding Firm

(2) CORPORATION
Corporation, Partner, Joint Venture

(3) 3400 MANOR ST. BAKERSFIELD (A 93308)
Business Address City State Zip Code

661-393-1151 661-393-0508

Telephone Number Fax Number

SMCRAE@MPENVIRO, COM
E-mail Address

(4) Signature of Authorized Person (Date)

SHANE MCRAE
Type or Print Authorized Person's Name

PLEASE SEE THE FOLLOWING INSTRUCTIONS REGARDING SIGNATURE

- (1) If the BIDDER is an individual, enter name here in style used in business; if a joint venture, exact name of entities joining in the venture; if a partnership, the correct trade style of the partnership; if a corporation, the exact name of the corporation.
- (2) If BIDDER is other than an individual, identify here its character, i.e., joint venture, partnership, corporation, including the state of incorporation. If BIDDER is an individual operating under a trade name, state "an individual dba (trade name in full)".
- (3) State on this line, the address to which all communications and notices regarding the Bid Proposal, and any contract awarded thereunder, are to be addressed.
- (4) If BIDDER is a joint venture, signature must be by one of the joint venturers, and if one or both joint venturers is a partnership or a corporation, each participating partnership must sign by a general partner, and each corporation by an authorized officer or employee; if a partnership, by a general partner; if a corporation, by an authorized officer or employee. The title of the person signing must appear after his/her signature. Where BIDDER is a partnership or corporation, the names of all other general partners, or the president or secretary of the corporation and their business addresses must be shown below.

MP ENVIRONMEN	ITAL SERVIC	ES INC.	
CORPORATION,	CALIFORNIA		
3400 HANDR ST.	BAKERSFIELD,	CA 93308	SHURAE@HPENVIRO.COM
1	SHAVE		ESTIMATOR

Note: All names must be typewritten under written signature. All Addresses must be complete with street number, city, state, and zip code.

Shawn Calderwood V.P. 3400 Manor st.

Bakersfield, Ca 93308

BIDDING AGENCY: MP ENVIRONMENTAL
BIDDING CONTRACTOR'S LICENSE INFORMATION:
STATE CONTRACTOR'S LIC. CLASS: A # 613706 EXP. DATE: 2-28-25 STATE D.I.R. REGISTRATION # 1000014231
FEDERAL TAX I.D. #77-0262888
FEDERAL TAX I.D. #
CITY OF VISALIA BUSINESS TAX CERTIFICATE # A City Business Tax Certificate (license) is not required to submit a bid; however, vendor is required to obtain a Business Tax Certificate prior to commencement of work within the City of Visalia. Please contact the Business Tax Division with questions at (559) 713-4326.
CONTRACTOR'S REFERENCES : The following are the names, addresses, and telephone numbers for at least three (3) public agencies for which BIDDER has performed work similar in size and scope within the past five (5) years.
REFERENCE 1
NAME OF AGENCY: ARIZONA PUBLIC SERVICES CONTACT PERSON: DEAU BIEGEL
AGENCY ADDRESS: PHOENIX, AZ PHONE #: 480-307-4739
REFERENCE 2 NAME OF AGENCY:
REFERENCE 3
NAME OF AGENCY: AERA ENERGY CONTACT PERSON JUSTIN WILLIAMSON
AGENCY ADDRESS: BAKERSFIELD, CA PHONE #: 661-665-5784
DESIGNATION OF SURETIES : The following are the names, addresses, and telephone numbers for all brokers and sureties from whom BIDDER intends to procure insurance.
COMPANY NAME: $INSURICA$ TYPE OF INSURANCE: $GL/AL/WC$
ADDRESS: 8500 STOCKDALE HWY TELEPHONE#: 661-316-5122 SUITE 200 BAKERSFIELD CA 93311
COMPANY NAME:TYPE OF INSURANCE:
ADDRESS:TELEPHONE#:
COMPANY NAME:TYPE OF INSURANCE:

ADDRESS: _____

___TELEPHONE#: ___

BIDDER'S STATEMENT ON PREVIOUS CONTRACTS SUBJECT TO EQUAL EMPLOYMENT OPPORTUNITY CLAUSE (EXECUTIVE ORDER 11426)

Note: THIS FORM IS TO BE COMPLETED BY BIDDER AND SUBMITTED WITH BID.

The BIDDER shall complete the following statement by checking the appropriate blanks:

Within 24 hours after the bid opening, the three lowest bidders shall submit this form (completed and signed by each of their listed subcontractors). A scanned copy will be accepted; however, the original copies must be mailed or hand-delivered.

The BIDDER has <u></u> has not <u></u> participated in a previous contract subject to the Equal Employment Opportunity Clause prescribed by Executive Order 11246, as amended, of September 24, 1965.				
contract due under the	not submitted all compliance reports in con applicable filing requirements; and that repre- pliance reports signed by proposed subBIDDERs w	esentations indicating		
Clause and has not submi	tted in previous contracts subject to the Equal Emtted compliance reports due under applicable filmpliance report on Standard Form 100, "Employ contract.	ling requirements, the		
Note: Failure to complete th	e blanks may be grounds for rejecting the bid.			
Company:	MP ENVIRONMENTAL SERVICES			
Business Address:	3400 MANOR ST BAKERSFIELD, CA 93	308		
Signature:				
Name of Signing Official:	SHANE MCRAE			
Title of Signing Official:	ESTIMATOR			
Date:	3-13-23			
Company Seal:				

EXHIBIT "B-2"

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE CERTIFICATE (EXECUTIVE ORDER 11246)

Equal Opportunity Clause

Unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Executive Orders 10925, 11114 or Section 204 of Executive Order 11246 of September 24, 1965, during the performance of each contract with the City of Visalia, the BIDDER agrees as follows:

- 1. The BIDDER will not discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin, or political affiliation. The BIDDER will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, gender, national origin, or political affiliation. Such action shall include, but not be limited to, the following: employment upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The BIDDER agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- 2. The BIDDER will, in all solicitations or advertisements for employees, placed by or on behalf of the BIDDER, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, national origin or political affiliation.
- 3. The BIDDER will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or the workers' representative of the BIDDER's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice on conspicuous places available to employees and applicants for employment.
- 4. The BIDDER will comply with all provisions of Executive Order 11246 of September 24, 1965, and the rules, regulations, and relevancy orders of the Secretary of Labor.
- 5. The BIDDER will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and relevant orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- 6. In the event of the BIDDER's non-compliance with the non-discrimination clauses of this subcontract or with any of such rules, regulations or orders, this subcontract may be canceled, terminated or suspended, in whole, or in part and the BIDDER may be declared ineligible for further government contracts in accordance with the procedures authorized in accordance with Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or otherwise provided by law.
- 7. The BIDDER will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each SUBBIDDER or vendor. The BIDDER will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the BIDDER becomes involved in, or is threatened with litigation with a SUBBIDDER or vendor as a result of such direction by the contracting agency, the BIDDER may request the United States to enter into such litigation to protect the interest of the United States.

Company Name:	MP	ENVIRONT	KNTAL	SERVICES				
Business Address:	3400	MANOR :	ST BAK	ERSFIELD,	CA	9330	8	
Signature:		2			D)ate:	3-13-2	3
Name of Signing Off	ficial (Prin	nt or Type):	SHANE	MCRAE				
Title of Signing Office		ESTIMA			Comp	any Seal	l:	

CERTIFICATE OF NONSEGREGATED FACILITIES (BIDDERS/SUBCONTRACTORS)

- 1. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise.
- 2. By the submission of a bid, the BIDDER certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The BIDDER agrees that a breach of this certification is a violation of the Equal Opportunity clause in the contract.
- 3. By submission of the bid, the BIDDER further agrees that (except where it has obtained identical certifications from proposed SUBCONTRACTORs for specific time periods) it will:
 - (a) Obtain identical certifications from proposed SUBCONTRACTORs before the award of subcontracts under which the SUB-BIDDER will be subject to the Equal Opportunity clause:
 - (b) Retain such certifications in its files; and
 - (c) Forward this certification and the following notice to the proposed SUBCONTRACTORs:

NOTICE OF PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATION OF NONSEGREGATED FACILITIES

A certificate of Nonsegregated Facilities must be submitted before the award of a subcontract under which the SUBCONTRACTOR will be subject to the equal Opportunity clause. The certification may be submitted either for each SUBCONTRACTOR for all subcontracts during a period (i.e., quarterly, semi-annually, or annually).

4. By commencing performance of the Contract work, the selected BIDDER certifies to the Nonsegregated Facilities provisions above.

Company:	MP ENVIRONMENTAL SERVICES
Business Address:	3400 HANOR ST. BAKERSFIELD, CA 93308
Signature:	Date: 3-13-23
Name of Signing Office	rial (Print or Type): SHANE M'RAE
Title of Signing Officia	al: Company Seal:

NON-COL	LUSION A	AFFIDA	TIVA
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	STATE OF CALIFORNIA)) ss
	CITY OF VISALIA)
KP ENVII	behalf of, any undisclosed that the Bid is genuine and induced or solicited any of indirectly colluded, conspired Bid, or that anyone shall resinderectly, sought by agreem BIDDER or any other BIDDER of anyone interested in the further, that the BIDDER breakdown thereof, or the cand will not pay, any feet	being first duly sworn, deposes and says that he or she is ESTIMATOR of the foregoing Bid; that the Bid is not made in the interest of, or or person, partnership, company, association, organization, or corporation of not collusive or sham; that the BIDDER has not directly or indirectly there BIDDER to put in a false or sham Bid, and has not directly or id, connived, or agreed with any BIDDER or anyone else to put in a sham frain from Bidding; that the BIDDER has not in any manner, directly on ent, communication, or conference with anyone to fix the Bid price of the ER, or to fix any overhead, profit, or cost element of the Bid price, or or to secure any advantage against the public body awarding the contract proposed contract; that all statements contained in the Bid are true; and has not, directly or indirectly, submitted his or her Bid price or any ontents thereof, or divulged information or data relative thereto, or paid or any corporation, partnership, company association, organization, bid or or agent thereof to effectuate a collusive or sham Bid.
	Company:	MP ENVIRONMENTAL SERVICES
		3400 HANOR ST. BAKERSFIELD, CA 93308
	Signature:	
	Name of Signing Official:	SHANK MCRAE
\bigcirc	Title of Signing Official:	ESTIMATOR
	Date:	3-/3-73
	Company Seal:	
	State of California County of Kern On this 3th day of Mark Public, personally appeared Shar evidence to be the person(s) whe that he/she/they executed the signature(s) on the instrument the instrument. I certify under PENALTY OF PETTURE and correct WITNESS my hand and official	the person(s), or the entity upon behalf of which the person(s) acted, executed expacity under the laws of the State of California that the foregoing paragraph is seal.
	Signature Pull u	(Seal) Notary Public - California Kern County

RFB NO. 22-23-42

Kern County
Commission # 2299332
My Comm. Expires Jul 29, 2023

Annual Contract for Abatement Services of Undeveloped Properties
Page 25

WORKERS' COMPENSATION INSURANCE CERTIFICATE (CALIF. LABOR CODE § 3700)

STATE OF CALIFORNIA)
) ss
CITY OF VISALIA)

I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work under this contract.

Company:	MP ENVIRONMENTAL SERVICES
Business Address:	3400 HANDR ST. BAKERSFIELD, CA 93308
Signature:	
Name of Signing Official:	SHANE MERAE
Title of Signing Official:	ESTIMATOR
Date:	3-13-23
Company Seal:	

CERTIFICATION OF ANTI-KICKBACK COMPLIANCE CERTIFICATE (48 Stat. 948; 62 Stat. 740; 63 Stat. 108; Title 18 U.S.C. § 8741; and 40 U.S.C. (c))

By submission of a Bid, the BIDDER certifies that neither it nor any of its employees has performed or participated in any prohibited actions, as defined in that provision, relating to the award of the Contract. By commencing performance of the Contract work, the selected BIDDER certifies to Anti-Kickback Compliance.

Company:	MP ENVIRONMENTAL SERVICES
Business Address:	3400 MANOR ST. BAKERSFIELD, LA 93308
Signature:	
Name of Signing Official:	SHANE MERAE
Title of Signing Official:	ESTIMATOR
Date:	3-13-23
Company Seal:	

AMERICANS WITH DISABILITIES ACT COMPLIANCE CERTIFICATE

By submission of a bid, the BIDDER certifies it will comply with the Americans with Disabilities Act, 42 U.S.C., 12101 et. seq., and will maintain compliance throughout the life of this Contract. By commencing performance of the Contract work, the selected BIDDER certifies to the Americans with Disabilities Act compliance.

Company:	MP ENVIRONMENTAL SERVICES
Business Address:	3400 MANOR ST. BAKERSFIELD, CA 93309
Signature:	
Name of Signing Official:	SHANE MERAE
Title of Signing Official:	ESTIMATOR
Date:	3-13-23
Company Seal:	

CITY OF VISALIA, CA

Ownership Disclosure for Contractors and Consultants

NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:
Firm Name: MP ENVIRONMENTAL SERVICES
Firm Address: 3400 MANOR ST. BAKERSFIELD, CA 93308
List the names of all principals, partners, and/or trustees. For corporations provide names of officers,
directors and all stockholders owning more than 10% equity interest in corporation:
DANN CALDERWOOD
Submitted by: Name SHAVE MERAE
Date

EXHIBIT "B-9"

STATE OF CALIFORNIA

DRUG-FREE WORKPLACE CERTIFICATION

STD.21 (REV.10-2019)

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of periury under the laws of the State of California.

CONTRACTOR/BIDDER FIRM NAME	FEDERAL ID NUMBER
MP ENVIRONMENTAL SERVICES	77-0262888
BY (Authorized Signature)	DATE EXECUTED
	3-13-23
PRINTED NAME AND TITLE OF PERSON SIGNING	TELEPHONE NUMBER (Include Area Code)
SHAVE MCRAE ESTIMATOR	(661) 303-3774
ESTIMATOR CONTRACTOR/BIDDER FIRM'S MAILING ADDRESS	
3400 MANOR ST. BAKERSFIELD, CA 93308	

The contractor or grant recipient named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above-named contractor or grant recipient will:

- 1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
- 2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all the following:
 - (a) The dangers of drug abuse in the workplace,
 - (b) The person's or organization's policy of maintaining a drug-free workplace,
 - (c) Any available counseling, rehabilitation, and employee assistance programs, and
 - (d) Penalties that may be imposed upon employees for drug abuse violations.
- 3. Provide as required by Government Code Section 8355©, that every employee who works on the proposed contract or grant:
 - (a) Will receive a copy of the company's drug-free workplace policy statement, and
 - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.
- 4. At the election of the contractor or grantee, from and after the "Date Executed" and until 3-13-26 (NOT TO EXCEED 36 MONTHS), the state will regard this certificate as valid for all contracts or grants entered into between the contractor or grantee and this state agency without requiring the contractor or grantee to provide a new and individual certificate for each contract or grant. If the contractor or grantee elects to fill in the blank date, then the terms and conditions of this certificate shall have the same force, meaning effect and enforceability as if a certificate were separately, specifically, and individually provided for each contract or grant between the contractor or grantee and this state agency.

EXHIBIT "B-10"

IRAN CONTRACTING ACT CERTIFICATION

(Public Contract Code Section 2200 et seq.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 et seq.) is true and correct:

- The Contractor is not:
 - (1) Identified on the current list of persons and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or
 - (2) A financial institution that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.
- The City has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the City will be unable to obtain the goods and/or services to be provided pursuant to the Contract.
- The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000 over the life of the contract (up to 5 years).

Signatur	e:	Printed Name:	SHANE MIRAE
Title:	ESTIMATOR	Agency Name: MP	'ENVIRONMENTAL SERVICES
Date:	3-13-23		

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or eligibility to bid on contracts for three years.



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0089 **Agenda Date:** 3/20/2023 **Agenda #:** 8.

Agenda Item Wording:

Authorize the City Manager to execute a new contract with Kings Petroleum, LLC for the supply and delivery of petroleum products. This contract will be for one year, with 4 optional one-year renewals, and an annual not to exceed amount of \$1,500,000.

Deadline for Action: 3/20/2023

Submitting Department: Public Works

Contact Name and Phone Number:

Mike Morgantini, Fleet Supervisor, mike.morgantini@visalia.city <mailto:mike.morgantini@visalia.city>, 713-4182

Nick Bartsch, Public Works Director, nick.bartsch@visalia.city <mailto:nick.bartsch@visalia.city>, 713 -4052

Department Recommendation:

Staff recommends that Council authorize the City Manager to execute a new contract with Kings Petroleum, LLC of Visalia, CA for the supply and delivery of petroleum products in accordance with the specifications of Request for Bid (RFB) 22-23-27. This contract will be for one year, with 4 optional one-year renewals.

Background Discussion:

The City has utilized an annual contract for the supply and delivery of petroleum products (fuel) to fueling stations located at various City facilities. Petroleum products are currently being supplied by Kings Petroleum, LLC under contract C18051, which expired in December 2022.

The bid for petroleum products was advertised in the newspaper on January 3, 2023, and January 10, 2023, and also posted on Bidnet. Additionally, letters were mailed to suppliers from Bakersfield to Fresno. The City of Visalia received 2 bids as shown in the summary below:

Kings Petroleum LLC of Visalia	\$97,065.00
Silva's Oil Co. of Fresno	\$148,360.50

The bid specifications require that the vendor guarantee that the City of Visalia fuel tanks do not fall below a level less than 25% and have local storage tank reserves within a 100-mile radius of the City of Visalia in the event of an emergency. The bid pricing was based on anticipated delivery costs, whereas the petroleum products will be supplied at the price listed in the daily oil price information service report (OPIS). The price for fuel fluctuates daily and is dictated by the petroleum market. Annual adjustments for delivery prices are based on the consumer price index and are limited to no more than 5% per year.

File #: 23-0089 **Agenda Date:** 3/20/2023 Agenda #: 8.

Fiscal Impact:

Funding for this product comes from Fleet Maintenance Fund 501, which is an internal service fund and is charged to departments based on their usage. Expenditures are projected to be \$1,300,000 in 22/23 and \$1,400,000 in 23/24, which is currently budgeted within the Fleet Fuel Division (5014).

Prior Council Action:

None

Other:

None

Alternatives:

Rebid through the City's Purchasing Department.

Recommended Motion (and Alternative Motions if expected):

Staff recommends that Council authorize the City Manager to execute a new contract with Kings Petroleum, LLC of Visalia, CA for the supply and delivery of petroleum products in accordance with the specifications of Request for Bid (RFB) 22-23-27. The contract will be for one year, with 4 optional one-year renewals, and an annual not to exceed amount of \$1,500,000.

Environmental Assessment Status:

N/A

CEQA Review:

N/A

Attachments:

Bid Summary

CITY OF VISALIA, CA PURCHASING DIVISION

707 W. Acequia Avenue Visalia, CA 93292 (559) 713-4334



REQUEST FOR BID (RFB) 22-23-27 Annual Contract for Supply & Delivery of Bulk Fuel and Diesel Exhaust Fluid BID SUMMARY

Date: 01/31/2023

Time: 2:00 PM

BIDDER'S NAME	LOCATION	TOTAL BID AMOUNT
Silvas Oil Company	Tresno, CA	\$ 148,360.50
Silvas Oil Company Kinjs Petroleum ILC	Tresno, CA- Visalia, CA-	#148,360.50 #97,065,00
0	,	,
Witness:		plenen
Witness: Will Witness: Witness	Witness:	
Witness:r-	Witness:	

purchasing@visalia.city

visaliapurchasing.org



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0078 **Agenda Date:** 3/20/2023 Agenda #: 1.

Agenda Item Wording:

First reading of the Ordinance 2023-03 new Visalia Municipal Code Section 9.24.060 to be added to the City of Visalia Municipal Code establishing regulations prohibiting the unlawful possession of a catalytic converter in the City of Visalia.

Deadline for Action: 3/20/2023

Submitting Department: Police Department

Contact Name and Phone Number: Chief Jason Salazar, 559-713-4215, jason.salazar@visalia.city <mailto:jason.salazar@visalia.city>; Captain Andrew Swarthout, 559-713-4035, andrew.swarthout@visalia.city <mailto:andrew.swarthout@visalia.city>; Lieutenant Mike Verissimo, 559-713-4154, mike.verissimo@visalia.city <mailto:mike.verissimo@visalia.city>; Sergeant Clay Moffett, 559-713-4240, clay.moffett@visalia.city <mailto:clay.moffett@visalia.city > ; Jim Koontz, City Attorney, 559-372-2400, jkoontz@prlawcorp.com <mailto:jkoontz@prlawcorp.com>

Department Recommendation:

It is recommended that the City Council approve Ordinance 9.24.060 to be added to the City of Visalia Municipal Code establishing regulations prohibiting the unlawful possession of a catalytic converter in the City of Visalia.

Summary:

In the City of Visalia and throughout the nation, the theft of catalytic converters has risen dramatically. The following table depicts the increase in catalytic converter thefts reported to the Visalia Police Department over the past five years.

Number of Catalytic Converter Thefts						
Year	2017	2018	2019	2020	2021	2022
Totals	1	2	39	21	288	326

One of the factors contributing to the rise in catalytic converter thefts is the increase in the value of precious metals. Catalytic converters contain metals such as platinum, palladium, and rhodium, which makes catalytic converters an attractive target for criminal offenders. Furthermore, a catalytic converter is easily removed from a vehicle with the use of a reciprocating saw, which is a tool easily operated by criminal offenders. Once the catalytic converter is removed, offenders transport the converter to a scrap metal dealer and sell it for cash (ranging from \$200-\$1,200 per catalytic converter). The scrap metal dealer then extracts the precious metals to sell.

This proposed ordinance endeavors to provide the Visalia Police Department with clearly established legal authority to protect the public and deter this criminal activity by issuing fines and imprisonment

File #: 23-0078 Agenda Date: 3/20/2023 Agenda #: 1.

to violators. Violators would be those that possess any catalytic converter(s) that are not attached to a vehicle, unless the Possessor has valid "Documentation or Other Reliable Proof" to verify that they are in lawful possession of the catalytic converter(s).

Background Discussion:

Catalytic converter thefts are challenging for law enforcement agencies to investigate due to the lack of serial numbers or other identifying markers on or within each unit. Currently, under California law, a police officer who encounters an individual in possession of a catalytic converter must locate the rightful owner before making an arrest for theft or possession of stolen property, which is difficult or impossible to accomplish without an identifying serial number. If the officer is unable to locate the rightful owner, which is often the case, the person in possession of the catalytic converter may be released, absent additional evidence of criminal activity.

There is currently no City, State, or Federal legislation to define and punish catalytic converter thefts without an identifiable victim, which is a challenge for law enforcement in addressing catalytic converter thefts. Attempts to pass legislation at the State level intended to curb the theft of catalytic converters has failed in the last couple of years. It is anticipated that several bills will be introduced at the State legislature in this coming year in another attempt to provide some relief to the significant increases in this type of crime that proves to be costly to the victims. The average cost of replacing a stolen catalytic converter and repairing the resulting damage can easily exceed \$2,000 for the victim in addition to potentially leaving them without an operable vehicle for a period of time.

Due to these challenges, the citizens of Visalia and the Visalia Police Department seek this ordinance for multiple reasons including, but not limited to:

- 1. Deterrence by establishing a zero-tolerance for catalytic converter thefts.
- 2. Sanctions for possessing stolen catalytic converters in the form of a misdemeanor violation of the City Ordinance resulting in potential imprisonment or fines.
- 3. Preventing offenders from profiting from the sale and recycling of stolen catalytic converters.
- 4. Providing indirect justice to the victims of catalytic converter thefts.
- 5. Reducing Part One crimes, which have been negatively impacted by catalytic converter thefts.
- 6. Minimizing the fiscal impact on the City of Visalia related to personnel time which is devoted to deterring and investigating catalytic converter thefts.

The Visalia Police Department researched California municipalities that have drafted a catalytic converter city ordinance. The City of Huntington Beach adopted a similar ordinance in April of 2022 and the City of Irvine adopted their ordinance in October of 2021. At this time, neither agency had statistics to provide; however, both made claims of a decrease in overall catalytic converter thefts. Just this last month, the City of Fresno adopted a similar ordinance in their efforts to deter catalytic converter theft.

Over time, the Department expects that the impact of this ordinance should reduce the number of catalytic converter thefts within the City of Visalia.

Fiscal Impact:

Enforcement of the proposed ordinance will be done by existing staff and will have no fiscal impact

File #: 23-0078 **Agenda Date:** 3/20/2023 Agenda #: 1.

related to staffing.

Prior Council Action: N/A

Other: N/A

Alternatives: N/A

Recommended Motion (and Alternative Motions if expected):

Approve Ordinance 2023-XX new Visalia Municipal Code Section 9.24.060 to be added to the City of Visalia Municipal Code establishing regulations prohibiting the unlawful possession of a catalytic converter in the City of Visalia.

Environmental Assessment Status: The requested action is considered exempt under Section 15061(b)(3) Per section 15061 (b) (3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption has been prepared for the project because Section 15061 (b) (3) states that the project is exempted from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed ordinance will establish regulations prohibiting the unlawful possession of catalytic converters to protect the public and deter this criminal activity.

CEQA Review: The requested action is considered exempt under Section 15061(b)(3) Per section 15061 (b) (3) of the State Guidelines for the California Environmental Quality Act (CEQA). A Notice of Exemption (NOE No. 2023-01) has been prepared for the project and is attached to the staff report.

Attachments: Proposed Ordinance 2023-03, Notice of Exemption (NOE No. 2023-01)

ORDINANCE 2023-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VISALIA, CALIFORNIA, ADDING SECTION 9.24.060 TO THE CITY OF VISALIA MUNICIPAL CODE ESTABLISHING REGULATIONS PROHIBITING THE UNLAWFUL POSSESSION OF CATALYTIC COVNERTERS IN THE CITY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VISALIA:

Section 1. City Council Findings. Consistent with its control over municipal affairs and the powers vested in the City of Visalia through the California Constitution, the City of Visalia is authorized to secure and promote the public health, comfort, safety, and welfare of its citizenry. The City Council of the City of Visalia hereby makes the following findings:

- A. The citizens of Visalia and the region have experienced increasing catalytic converter thefts from automobiles over the past several years.
- B. It is difficult to define and punish catalytic converter thefts absent an identifiable victim and used catalytic converters can be difficult if not impossible to trace once they are illegally removed from a vehicle.
- C. The lack of any City, State, or Federal law addressing the possession of non-installed catalytic converters applicable within the City of Visalia that requires individuals to provide proof to law enforcement as to how they obtained the catalytic converter(s), limits law enforcement's ability to: 1) protect the public by deterring catalytic converter thefts, 2) seize suspected stolen catalytic converters when no victim is present, and 3) prosecute those possessing catalytic converters who cannot prove lawful possession of them.
- D. Catalytic converter thefts are on the rise because individuals are incentivized to commit catalytic converter thefts for multiple reasons including, but not limited to: 1) the ease and undetectable nature of committing such thefts, potentially in a matter of seconds, 2) the ability to recycle catalytic converters at scrap metal yards for high dollar retunes (ranging from \$200-\$1,200 per catalytic converter), and 3) omissions in legislation protecting suspected criminals from prosecution unless a theft victim can be identified.
- E. Preventing these crimes at present is nearly impossible due to the ease and speed with which catalytic converter thefts can be committed and the difficulty of tracing a particular catalytic converter back to its prior owner (the victim), because catalytic converters typically have no identifying markers.

- F. The citizens of Visalia and the Visalia Police Department need legislation criminalizing the possession of catalytic converters absent proof of ownership or lawful possession. The need for protective legislation will serve multiple reasons including, but not limited to: 1) achieving deterrence by establishing zero-tolerance for catalytic converter thefts, 2) establishing penalties for possessing stolen catalytic converters, 3) preventing criminals from profiting from the sale and recycling of stolen catalytic converters, 4) providing indirect justice to the victims of catalytic converter theft cases that have gone or will go unsolved for the reasons discussed above, 5) minimizing the fiscal and personnel impact on the City of Visalia and the Visalia Police Department by reducing the time invested in deterring and investigating catalytic converter thefts, and 6) provide Visalia Police department personnel an enforcement tool which directly responds to their law enforcement needs.
- G. It is well established that individuals who are in possession of stolen catalytic converters then recycle them for substantial profit while both the community and the victims of these thefts suffer tremendous consequences in the form of costly repairs, inconvenience, and feelings of lack of safety in the community.
- H. The City Council finds that this local ordinance is appropriate and necessary to provide the City of Visalia and the Visalia Police Department clear legal authority to better protect the public and deter this criminal activity.
- I. All legal preconditions to the adoption of the Ordinance have occurred as required by law.

Section 2. New Municipal Code Section. The following provision, which regulates the possession of a catalytic converter, is hereby added to the Visalia Municipal Code:

9.24.060 – Unlawful possession of a catalytic converter.

It shall be unlawful for any person, group, or "Possessor" to possess any catalytic converter(s) that is not attached to a vehicle, unless the Possessor has valid "Documentation or Other Reliable Proof" to verify that they are in lawful possession of the catalytic converter(s).

A. For purposes of this section, "lawful possession" includes 1) being the lawful owner of the catalytic converter, or 2) in possession of the catalytic converter with the lawful owner's written consent, or 3) owners and employees of a licensed business involving the legal purchase and sale of catalytic converters may possess them during lawful business operations. It is not required to prove the catalytic converter

was stolen to establish the possession is not a "lawful possession" and any of the following may also be considered to determine that possession of a catalytic converter is unlawful:

- 1. The catalytic converter has been cut or otherwise shows marks or damage consistent with illegal removal.
- 2. The person in possession of the catalytic converter is also in possession of tools that can be used in the illicit removal of catalytic converters.
- 3. The catalytic converter has markings that associate it with a particular vehicle or make or model of vehicle not associated with the person in possession of the catalytic converter.
- 4. The person is not able to reasonably account for the origin of the catalytic converter.
- 5. The person is in possession of, or has sold or attempted to sell, multiple catalytic converters outside of the scope of a licensed business enterprise.
- B. For purposes of this section, "Documentation or Other Reliable Proof" means a sales receipt, other proof of purchase, or written document(s) that identifies proof of ownership of catalytic converters or ownership of the vehicle from which a used catalytic converter originated based on the totality of the circumstances, and includes, but is not limited to, the following types of documents:
 - 1. Verifiable bill of sale from the original owner.
 - 2. Documentation from an auto-body shop proving that the owner relinquished the catalytic converter to the auto-body shop.
 - 3. Verifiable electronic communication from the previous owner to the possessor relinquishing ownership of the catalytic converter.
 - 4. Photographs or similar visual representation of the vehicle from which the catalytic converter originated.
 - Certificate of title or registration that identifies the individual as the legal or registered owner of the vehicle from which the catalytic converter was detached.

- C. Each violation of this section shall constitute a separate violation, including but not limited to, possessing multiple catalytic converters during a single contact by law enforcement or the locating of catalytic converters at other locations but arising from the initial contact by law enforcement or any other circumstance connecting the potential violator to the unlawful possession of the catalytic converter(s) and shall be subject to all remedies and enforcement measures authorized by the Visalia Municipal Code. For clarity, each catalytic converter unlawfully possessed is a separate violation of this section.
- D. It is unlawful and a misdemeanor subject to punishment in accordance with section 1.12.010 of the Visalia Municipal Code for any person to violate any provision of this section. The general rule stating violations of this chapter shall be treated as infractions does not apply to violations of this section 9.24.060.
- E. The remedies provided herein are not to be construed as exclusive remedies. The city is authorized to pursue any proceedings or remedies provided by law.

Section 3. California Environmental Quality Act Requirements. This Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) because there is no possibility that this Ordinance or its implementation would have a significant negative effect on the environment. (14 Cal. Code Regs. 15061(b)(3).) City staff shall cause a Notice of Exemption to be filed as authorized by CEQA and the State CEQA Guidelines.

Section 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

Section 5. Effective Date. The City Clerk shall certify to the passage of this Ordinance and this Ordinance shall be published as required by law and shall take effect thirty (30) days from the date of adoption.

PASSED AND ADOPTED:

Environmental Document # 2023-01

NOTICE OF EXEMPTION

City of Visalia 315 E. Acequia Ave. Visalia, CA 93291 (559) 713-4359

To: County Clerk County of Tulare County Civic Center Visalia, CA 93291-4593

Visalia Municipal Code Section 9.24.060 to the City of Visalia establishing regulations prohibiting the

unlawful possession of catalytic conver	ters in the City
PROJECT TITLE	ters in the Oily
0:4.146.45	
City Wide PROJECT LOCATION	
PROJECT LOCATION	
Visalia	Tulare
PROJECT LOCATION - CITY	COUNTY
Adoption of Municipal Code Section 9. unlawful possession of catalytic conver	.24.060 of the City of Visalia to establish regulations prohibiting the rters in the City of Visalia.
DESCRIPTION - Nature, Purpose, &	Beneficiaries of Project
brandon.smith@visalia.city	5 E. Acequia Avenue, Visalia CA 93291, (559) 713-4636,
NAME OF LEAD AGENCY APPROVI	NG PROJECT
4154, mike.verissimo@visalia.city	, Police Dept., 303 S. Johnson St., Visalia CA 93291, (559) 713-
NAME AND ADDRESS OF APPLICA	NI CARRYING OUT PROJECT
N/A	
NAME AND ADDRESS OF AGENT C	ARRYING OUT PROJECT
EXEMPT STATUS: (Check one)	
Ministerial - Section 15183	
Emergency Project - Section 15	071
Categorical Exemption - State ty	
Statutory Exemptions- State co	de number: 15061(b)(3)
the State Guidelines for the California I prepared for the project because Sect the activity is covered by the common potential for causing a significant effective.	red exempt under Section 15061(b)(3) Per Section 15061 (b) (3) of Environmental Quality Act (CEQA). A Notice of Exemption has been ion 15061 (b) (3) states that the project is exempted from CEQA if sense exemption that CEQA applies only to projects that have the t on the environment. Where it can be seen with certainty that there stion may have a significant effect on the environment, the activity is
Brandon Smith, Principal Planner	(559) 713-4636
CONTACT PERSON	AREA CODE/PHONE
January 11, 2023	Br fr sci
DATE	Brandon Smith, AICP



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0103 **Agenda Date:** 3/20/2023 Agenda #: 2.

Agenda Item Wording:

Approve Resolution 2023-05 to ratify the Proclamation of Local Emergency that was declared on March 13, 2023, due to the threatened existence of conditions of extreme peril to the safety of persons and property within said city caused by excessive past and expected rainfall and snowfall, resulting in uncontrolled waters coming from local rivers and streams.

Deadline for Action: 3/20/2023

Submitting Department: Administration

Contact Name and Phone Number: Leslie Caviglia, City Manager,

Department Recommendation:

It is recommended that the Visalia City Council approve the March 23, 2023 Proclamation of Local Emergency that was declared by the Office of Emergency Services Director, Leslie Caviglia.

Background Discussion:

Pursuant to Visalia Municipal Code Section 2.28.050(B)(1), the Office of Emergency Services Director ("Director") is empowered to proclaim the existence or threatened existence of a local emergency when said city is affected or likely to be affected by a public calamity and the Council is not in session. Such proclamation by the Director shall expire within 7 days of its proclamation, unless ratified by the City Council. Upon ratification by the City Council, the proclamation of local emergency shall remain in effect until the Director or the City Council issue a proclamation that a local emergency no longer exists. The City Council is required to review their ratification of this proclamation within 60 days (VMC Section 2.28.110).

Fiscal Impact: To be determined.

Prior Council Action: None

Alternatives: None

Recommended Motion (and Alternative Motions if expected):

I move to approve Resolution 2023-05 to ratify the Proclamation of Local Emergency that was declared on March 13, 2023, due to conditions of extreme peril to the safety of persons and property within said city caused by excessive past and expected rainfall and snowfall, resulting in uncontrolled waters coming from local rivers and streams.

Attachments: Resolution proclaiming existence of a local emergency dated March 13, 2023 and Resolution 2023-05, Resolution Proclaiming Existence of Local Emergency.

RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Ordinance No. 2.28.040 of the City of Visalia empowers the Director of Emergency Services to proclaim the existence of a local emergency when said city is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, the Director of Emergency Services of the City of Visalia does hereby find:

That conditions of extreme peril to the safety of persons and property have arisen within said city, caused by <u>Excessive MAST MAD Expand</u>; and <u>RMANTALL, SHOW PALL, AND UNCONTROLLED WATERS COMING FROM THE MOUNTAINS</u>

That the City Council of the City of Visalia is not in session, and cannot immediately be called into session;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout said city; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this city shall be those prescribed by state law, by ordinances and resolutions of this city, and by the City of Visalia Emergency Plan.

Dated: 63/13/2023

Director of Emergency Services

Asli B. laviglia

City of Visalia

RESOLUTION NO. 2023-05

CITY OF VISALIA RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY

WHEREAS Visalia Municipal Code Section 2.28.050(B)(1) of the City of Visalia requires the Visalia City Council to ratify the proclamation of the Office of Emergency Management Director within 7 days of the of the proclamation of the existence or threatened existence of a local emergency when said city is affected or likely to be affected by a public calamity; and

WHEREAS, the City Council of the City of Visalia does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said city, caused by excessive past and expected rainfall and snowfall, resulting in the potential for uncontrolled waters coming from local rivers and streams.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout said city; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this city shall be those prescribed by state law, by ordinances and resolutions of this city, and by the City of Visalia Emergency Plan.

Dated: March, 2023	By:	
	Brian Po	ochigian, Mayor of the City of Visalia
PASSED AND ADOPTED: Mare	ch, 2023	LESLIE B. CAVIGLIA, CITY CLERK
STATE OF CALIFORNIA) COUNTY OF TULARE) ss. CITY OF VISALIA)		
	and adopted by th	Visalia, certify the foregoing is the full and e Council of the City of Visalia at a regular
Dated: March, 2023	LESLIE B. CA	VIGLIA, CITY CLERK
	By:	licholson, Chief Deputy City Clerk



Visalia City Council

Visalia City Council 707 W. Acequia Visalia, CA 93291

Staff Report

File #: 23-0084 **Agenda Date:** 3/20/2023 Agenda #: 1.

Agenda Item Wording:

UPCOMING CITY COUNCIL MEETINGS:

Thursday, March 23, 2023 @ 6:00 p.m., Special Joint Meeting w/ VUSD and COS, 915 S. Mooney, Porter Field House.

Monday, April 03, 2023 @ 7:00 p.m., 707 W. Acequia.

Monday, April 17, 2023 @ 7:00 p.m., 707 W. Acequia.

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

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Any 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.