Call to Order at 6:30 p.m.
Roll Call: Council Member McCracken, Council Member Pedro Martinez, Mayor Pro Tem Felipe Martinez, Mayor Hamilton
Absent: Council Member Stadtherr

Pledge of Allegiance led by Council Member Pete McCracken
Invocation - a moment of silence was observed.

ORAL COMMUNICATIONS
None

SCHEDULED MATTER

1. STUDY SESSION: 10-YEAR CAPITAL IMPROVEMENT PROGRAM

City Manager John Longley presented the item, and Baldo Rodriguez, Public Works Director, presented the staff report.

Mayor Pro Tem Felipe Martinez inquired whether staff had information pertaining to whether the number of vehicles on Olive Avenue would increase or decrease once Indiana Street was extended through. Mr. Longley indicated that the Public Works Department, under the direction of Mr. Rodriguez, could run a report that detailed that information. Mr. Rodriguez then agreed with Mayor Hamilton’s assessment that the prolongation of Indiana through to Olive Avenue would likely increase vehicle travel on Indiana Street, decrease vehicle travel on Porter Street, and likely have no effect on Olive Avenue.

Mr. Rodriguez confirmed that the proposed developments on Jaye Street and Highway 190 would increase vehicle traffic on Olive Avenue. Mr. Rodriguez elaborated that approximately $6 Million of improvements were proposed, which included a traffic signal and a northbound dual-left turn lane on Jaye Street at Olive Avenue. He stated that staff anticipated six lanes of traffic along the corridor, from Springville Avenue to Highway 190. Mr. Rodriguez indicated that staff was currently working out the details as to what the appropriate shares of the costs would be for the various parties. A discussion ensued as to how extra lanes would be added at the Olive Avenue and Jaye Street intersection. It was stated that the sidewalks were extremely wide, and that some of the curbing and sidewalk would be removed to accommodate the extra width required. Mayor Pro Tem Felipe Martinez confirmed with Mr. Rodriguez that the proposed work was scheduled to take place in FY 2007/2008, and voiced concern with the likely increase in traffic flow along Olive Avenue due to the improvements. Mr. Rodriguez indicated that staff believed that the proposed improvements would smoothly dovetail with the proposed Jaye Street improvements and the proposed commercial development.

A discussion as to the proposed repair work on the Olive Avenue thoroughfare ensued. Mr. Rodriguez stated that the thoroughfare would remain as is, and that the problem areas would be addressed by a “dig and repair” process, with the hope that in subsequent years the entire street could be overlaid. Mayor Pro Tem Felipe Martinez commented that Olive Avenue was currently in poor condition and
voiced concern with the effects of increased traffic and weather on an already deteriorated surface. He questioned whether it would be better to move forward with the work projected for Olive Avenue in FY 2007/2008 earlier, prior to commencing the Jaye Street work. Mr. Rodriguez responded that he did not believe that proceeding with the two projects concurrently would affect either one. He stated that he was uncertain whether the projects would occur at exactly the same time, noting that many variables could affect the timing.

Council Member Pedro Martinez inquired as to the projected time for the extension of Indiana Street to Highway 190. Mr. Longley indicated that it was projected for FY 2008/2009, yet the project remained unfunded, which basically meant that staff acknowledged the need existed for the project, yet there was no funding to accomplish the task. He stated that the issue could be addressed by seeking grants, and if the issue became critical at some point, the Council could determine whether it wished to pursue a COP issuance for streets projects. He pointed out, however, that pursuing the COP issuance would create a scenario similar to what the City was currently enduring, in that monies that would generally go towards annual work would no longer be allowed. Mr. Longley spoke of the constant need for street work and ongoing challenges many agencies face due to aging infrastructure. He stated that he believed a COP issuance was an “arrow in the arsenal” and recommended that a funding source be available prior to selling any bonds. He then noted that there would be an increase in the sales tax revenue due to the commercial development, and that the Council might wish to allocate a portion of that revenue towards COPs for street purposes. He then elaborated on a hypothetical issuance and the budgetary commitment moving forward.

Access from the East side of the Community to Highway 190 was discussed next. Mr. Longley indicated that the subject had been discussed for some time and that he believed a request for legislation had been made, adding that he had talked with the current County Supervisor about the matter. He stated that it had been determined that the project would involve a bridge, and the cost of the project was estimated to be approximately $20 to $25 Million. He indicated that at the time the matter was discussed, it was believed that the only way to proceed with the project would be through State assistance. It was after those discussions, Mr. Longley stated, that the State budgetary crisis hit. Mr. Longley added that the project would also involve right-of-way purchases and some land issues. Council Member Pedro Martinez commented that he believed access from the East side to Highway 190 was important.

In response to Council Member Pedro Martinez, a status report on streets within the recently annexed areas was provided next. Mr. Longley stated that at the time the annexations were undertaken, the City promised only that there was hope for the residents, and without the City, there was no hope. He spoke of the poor condition of County roads and indicated that the streets now within the City limits would be evaluated and placed on a priority listing for improvements. He stated that as money was available, those streets would be improved. He noted that rapid action would be unlikely, yet spoke of opportunities, such as forming assessment districts for improvements. He stated that in the event residents chose to pursue that course, the City would be willing to form said districts and accomplish the work. He stated that generally, the desire was to fund such work from the general tax base, or from an allocated tax base such as street monies.

Council Member Pedro Martinez inquired whether the costs for the Success Dam Remediation Project would affect any of costs for the projects identified, such as for materials and/or labor. Mr. Rodriguez indicated that he did not believe the Dam Remediation would have any effect, at least not anything significant. A brief discussion ensued as to the availability of resources locally and on a more global basis, due to external influences.
A discussion next ensued as to streets projects necessary due to the development of new schools. Mr. Longley spoke of the $6 Million spent to construct new streets and roads to serve Granite Hills High School, and noted other benefits for opening up that portion of the Community. He then briefly spoke of the work at both Mathew Street and North Grand Avenue, indicating that he believed there to be greater cooperation in both cases with the School District. He stated that while the Mathew situation might have been controversial, a resolution was reached with the School District bearing a significant portion of the cost. He commented that the City was making progress on such issues with the Districts.

Council Member Pedro Martinez questioned whether there was anything that could be done to assist the City to more aggressively pursue funds to repair the streets more expeditiously, or to assure that funding was secured. Mr. Longley commented that he believed the issue to be more of a matter of style and that the Council might wish to discuss it at the upcoming Projects Meeting scheduled for September 23, 2006. He then spoke briefly of a recent meeting regarding improvements to Highway 190 and State Route 65. He stated that large projects such as the widening of State Route 65 generally required many years of commitment and pursuit to accomplish the task. He stated that the whole organization was generally oriented toward that goal, and in time the effort was typically successful. He spoke of Mayor Hamilton’s efforts over the past few years through his involvement with TCAG, and noted that such a large task required an entire organizational direction. He commented that a successful effort would likely require a change in the style of the whole organization. Another variation of more aggressively pursuing more funds would be to hire a consultant to assist in obtaining grant funds. He stated that staff would need to investigate that option and whether or not it would be beneficial. Council Member Pedro Martinez spoke of the efforts of Mr. Victor Lopez in Orange Cove and taking a more proactive approach, citing the City’s recent trip to Arkansas to pursue economic development.

Council Member Pedro Martinez next raised the issue of improving access to the Sports Complex, and questioned what would be involved. It was stated that the County performed some improvements to Westwood several years prior. Mr. Rodriguez clarified that the Scranton project would have little impact on improving access to the Sports Complex. Council Member Martinez voiced some concern with having a facility in an area that had poor access. He then questioned whether lighting was included in the project estimates provided in the staff report. Mr. Rodriguez elaborated that the detail provided was an abridged version that only included streets, and that the complete document also included streets, lighting, sewer, etc. so as to track each pertaining to a specific project. He stated that the complete 10-Year Plan document could be made available to the Council.

Council Member McCracken confirmed with staff that according to the Plan, there was approximately $5.2 Million in unfunded projects in FY 2007/2008, and approximately $787,000 in FY 2008/2009. Mr. Rodriguez indicated that the Plan included projects deemed necessary, along with projected timing and Engineer’s Estimates, however lack of funding caused the projects, from time to time, to be postponed. Mr. Longley added that the Plan before the Council was only really a budget for FY 2006/2007, and for subsequent years, it was merely a planning tool. He stated that the document was more like a one-year budget and a nine-year needs assessment. He indicated that if the Council so chose, the Plan could be modified. Mr. Longley then shared a conversation that he had with the previous City Manager regarding street repair and noted that the matter of street repairs was not a new issue, but rather something that was continual.

Council Member Pedro Martinez questioned whether a lack of foresight could be attributed to the current disrepair of City streets. Mr. Longley indicated that perhaps a general lack of foresight was involved in that streets were continually built with no funding mechanism for their ongoing maintenance.
He stated that this situation caused needed street repairs to then be in constant competition with other City needs. He noted that street repairs were more a long term issue, and that more immediate needs, such as with public safety staffing issues or recreation, were often prioritized. A discussion ensued as to the issue of funding street repairs.

Mayor Pro Tem Felipe Martinez spoke of the street repair machine recently purchased by Tulare County and questioned whether the purchase of such a machine by the City could positively impact the situation. A discussion ensued as to whether the purchase had already been authorized by the Council. It was determined that a discussion had taken place, but that authorization had not been given to proceed with the purchase of the equipment. It was stated that staff had looked into the costs for the machine, and according to the County, it was estimated to be approximately $180,000 to $185,000, not including the freight from North Carolina. Mr. Longley clarified that if the Council so directed, staff could return with a Lease/Purchase Agreement for the Council’s consideration.

Deputy City Manager Frank Guyton spoke of efforts to possibly enter into a sharing agreement with other local agencies for the purchase and use of the equipment. He stated that as of that date, Visalia and Porterville were able to participate, and that while Exeter and Woodlake would like to participate, those agencies did not have the budget available in the current fiscal year. He added that Exeter and Woodlake had requested consideration for the following year. Mr. Guyton then indicated that staff was also seeking funding through TCAG in the event the City could purchase equipment that operated on alternative fuels. Mayor Pro Tem Felipe Martinez stated that he had talked with representatives from the City of Tulare and they evinced an interest in also participating. He added that Visalia Mayor Jesus Gamboa had also responded positively. Mr. Longley indicated that staff could bring back the best proposal at the first meeting in November, to which the Council agreed.

Mayor Hamilton inquired as to the pay-off on the COPs, to which it was estimated that the pay-off was $1.9 Million, and the amount of street fund money was approximately $400,000.

The Council then discussed the low water crossing project on Indiana. Mayor Hamilton questioned whether discussions had been initiated with the Fish and Game Department. Staff responded that no contact had yet been made due to a current lack of funding. Mayor Hamilton voiced interest in immediately opening the dialog with Fish and Game, and the Council concurred.

Mayor Hamilton then spoke of the rippling effects on North Grand Avenue near Newcomb Street, inquired as to the concrete aprons installed by the County, and requested information on the aprons. Staff confirmed that information would be provided.

Mayor Hamilton then confirmed with staff that the moratorium on street cuttings was currently five years, and voiced interest in looking into increasing the time. He commented that he believed the corings were responsible for the damage to Olive Avenue. Mr. Rodriguez stated that every time a street was cut, years were taken away. City Manager John Longley clarified with the Council that staff would look into what other agencies were doing, research the legalities of increasing the length of the moratorium, and suggested that seven or seven and a half years might be appropriate. Mr. Rodriguez stated that the utility companies were generally the ones that took issue with the moratorium. City Attorney Julia Lew added that the City of Santa Ana just recently went through lengthy litigation wherein the City sued due to excessive trench cutting. She stated that Santa Ana ultimately lost their case.
In response to a question posed by Mayor Hamilton as to Franchise Fees, Mr. Longley indicated that all of the franchise fee revenue went towards the debt service on the COPs. It was estimated that the amount of revenue generated was approximately $1 Million. A discussion ensued as to franchise fees and the various sources of revenue.

The Council next discussed the status of the frontage road running parallel to State Route 65 near the Adult School. Mayor Hamilton commented that he believed that the School District would like to see that expanded. Staff indicated that the street was proposed to be expanded to two lanes. A discussion ensued as to the current status of the road and which portions would qualify for CMAQ funds. In response to Mayor Hamilton’s inquiry as to the status of an overpass at North Grand and State Route 65, staff indicated that Caltrans had conducted a study and that a report was therefore available.

As to the Capital Improvement Strategies included in the staff report, staff clarified that the asterisks on the report referred to funds that were re-appropriated from the prior year. A discussion then ensued as to whether the Council wished to re-prioritize any of the projects listed on the Plan. Mr. Longley indicated that if the Council so chose, staff could provide a different presentation in which five funded years would be presented, with a coding system for projects to occur in subsequent years. Mayor Hamilton expressed an interest in focusing on fixing the streets currently in place, rather than on constructing new streets. Council Member McCracken concurred. Mr. Rodriguez noted for the Council’s edification that the work associated with the Riverwalk project actually included new street construction, specifically the extension of Jaye Street. The Council acknowledged that the work on Jaye Street was necessary.

City Manager John Longley noted that there were additional resources that would be available, such as $315,000 in Prop 42 funds, and stated that staff would bring back a specific repair project that could be funded with those monies within the Fiscal Year, or soon thereafter. He added that as other funds became available through Prop 1B or through the ½ cent sales tax, staff would provide a report with recommendations for repair and reconstruction projects for the Council’s consideration. Mayor Hamilton suggested that the funds from Prop 1B could almost fund the low water crossing project, and noted the importance of initiating discussions with the Fish and Game Department. Mr. Longley stated that the Council could allocate the Prop 1B funds to the water crossing project that evening, noting that it would be a step forward. The Council requested that the matter be brought back for Council’s consideration.

Mayor Hamilton suggested that if the City abandoned the alleyways, it could save $30,000 for use elsewhere. Staff indicated that some of the alleys had utility and/or sewer easements, and that mapping and identifying those that did and did not have easements was possible. A discussion ensued as to possibly abandoning the alleyways that did not have utility easements. Staff confirmed that a map could be provided to the Council, and spoke of the Ten Year Alley Reconstruction Program towards which $25,000 had been budgeted. Mr. Rodriguez noted that the most current alley reconstruction project pertained to the alleyway behind the Chevron station on Putnam Avenue. He indicated that staff was actively working on getting other alley projects identified in the Reconstruction Program completed.

Mayor Hamilton next inquired as to the status of repairs to G Street, from Henderson Avenue to approximately 600 feet south of Henderson Avenue. Mike Reed, City Engineer, indicated that the project was scheduled for FY 2007/2008 at an estimated $73,000, and had been inadvertently omitted from the report. He stated that the project had a few design challenges that staff was currently working through.
In response to a question posed by Council Member Pedro Martinez, staff confirmed that the situation regarding the gate at South Beverly had been resolved only in the sense that the gate had been opened, and that the issue of safety had been addressed by prohibiting parking on the west side of the road. It was clarified that the street had not been expanded, but the other measures identified had been taken to mitigate the problems. Mr. Reed stated that the expansion of the street was in the next allocation of CMAQ funding.

City Manager John Longley proposed that the $1.4 Million could be put toward the low water crossing; and that the $315,000 from Prop 42, and the $635,000 from the ½ cent sales tax, which projected over the next three years would be another $1.5 Million, that could be utilized for reconstruction and pothole repairs. Mr. Longley suggested that a list could be prepared and provided to the Council detailing what could be accomplished with the approximate $1.5 Million over the next three years. Mr. Longley added that with regard to the purchase of the pothole machine, two options existed: 1) to pursue funding through CMAQ if a machine that operated on alternative fuels could be secured; and 2) possibly get partial funding through Tribal Gaming funds. He stated that the equipment could be purchased with a loan over a number of years, and could be pursued as an enterprise, possibly leasing the equipment out to other agencies. Mr. Longley stated that proposals could be brought to the Council in November.

Mayor Hamilton spoke of the need for addressing the low water crossing at Indiana Street, and voiced support for pursuing the work at Nicholson Road, noting that it would aid in economic development in that vicinity. Council Member Pedro Martinez agreed with the Mayor’s comments.

Mayor Pro Tem Felipe Martinez inquired as to the disposition of the intersection of Date Avenue and Jaye Street. Mr. Rodriguez indicated that he could not locate the project on the Plan provided, and suggested that it too might have been inadvertently omitted. Mr. Rodriguez stated that he would provide a status report on that projected work to the Council.

City Manager John Longley provided a review of the direction given by Council that evening:

1. Staff will bring back to the Council in November the best proposal on the purchase of a pothole machine;
2. Staff will develop a memorandum on street cuttings and the possible extension of the moratorium from five years to seven or seven and one-half years, including the pros and cons of extension. If any member of the Council wished for the matter to be placed on the Agenda, staff would do so;
3. Staff will prepare a preliminary work program on the low water crossing project, including the identification of funding sources to accomplish the work, and report back to the Council;
4. Staff will prepare a memorandum to the Council providing a summary of projects to be funded by Prop 42 monies, the potential sales tax and Prop 1B monies, at the total amount of $1.5 Million over the period of three years, for street reconstruction and repairs;
5. Staff will prepare a memorandum on the status of Date Street and Jaye Street; and
6. Staff will prepare a memorandum for the Council on the pros and cons of installing concrete aprons at intersections.
Mayor Pro Tem Felipe Martinez suggested that staff should also research the cost of repairs on Newcomb Street from Olive Avenue, south to the actual low water bridge.

A discussion ensued as to streets that had the potential for flooding. Mr. Rodriguez indicated that several streets on the East side of Porterville had endured severe flooding earlier that year, but that many of the problems were in the County’s jurisdiction. Mr. Rodriguez noted that one of the issues on the G Street project was the potential for flooding, although he stated that the majority of the flood areas were located on the East side. Council Member Pedro Martinez noted the importance of assisting residents who were affected by floods.

Disposition:  Direction provided to staff.

ORAL COMMUNICATIONS
None

OTHER MATTERS
• Mayor Hamilton commended Field Services Superintendent Fred Beltran and his crew for the work they accomplished on Newcomb Street and Main Street.

ADJOURNMENT
The Council adjourned at 7:36 p.m. to the Meeting of September 5, 2006 at 6:00 p.m.

Patrice Hildreth, Deputy City Clerk

ATTEST:

Cameron Hamilton, Mayor