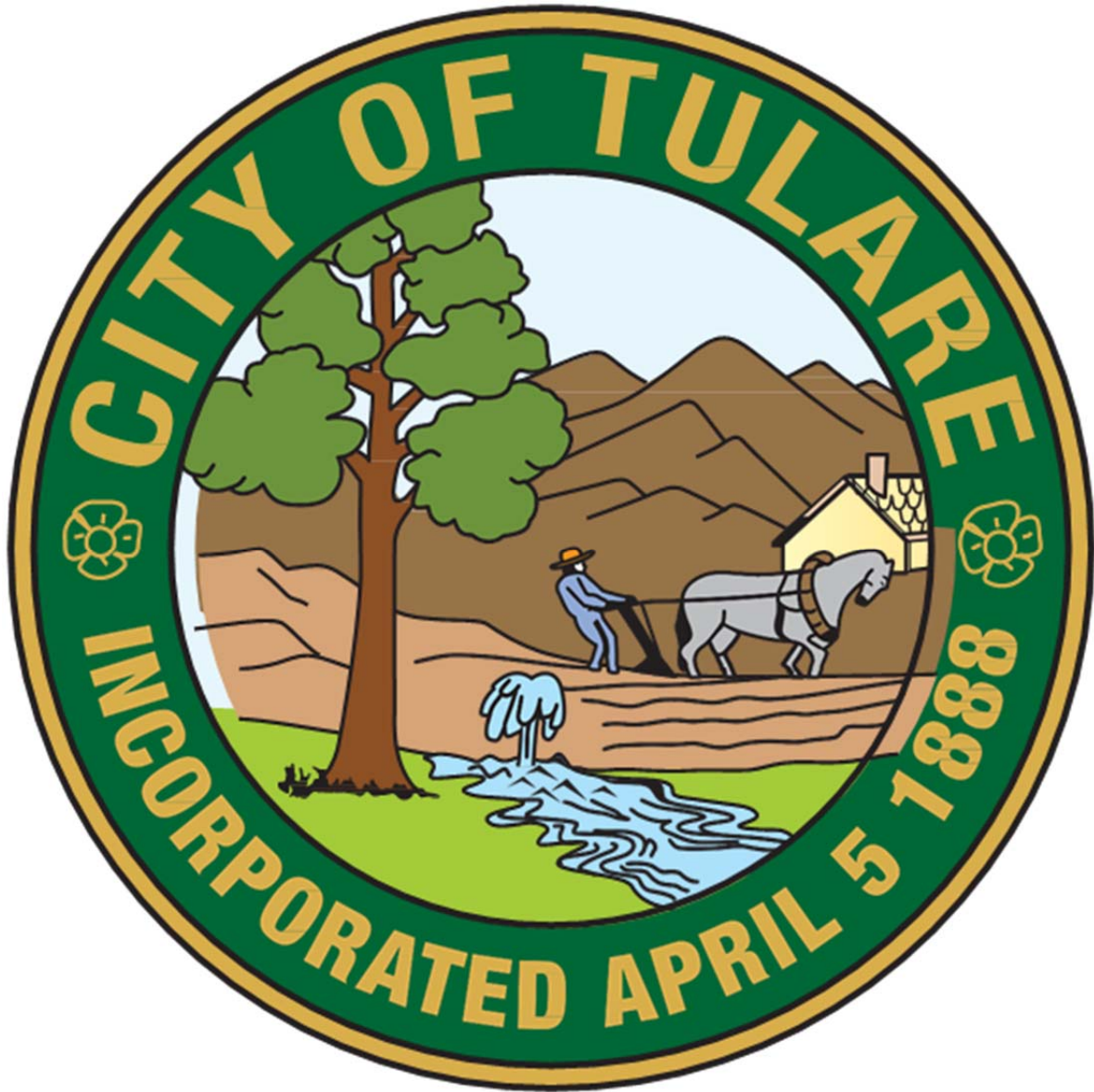


# City of Tulare

FINAL  
Municipal Service Review



Prepared By  
Tulare County  
Local Agency Formation Commission  
August 2013

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## **INTRODUCTION**

This report provides information about the municipal services and Sphere of Influence boundaries of the City of Tulare. It is for use by the Local Agency Formation Commission in conducting a statutorily required review and update process.

State law requires that the Commission conduct periodic reviews and updates of the Sphere of Influence of each city and district in Tulare County (Government Code section 56425(e)). A Sphere of Influence is the probable extent of the City's boundary and service area. The Sphere is an important tool used by LAFCO to encourage the orderly formation and growth of local government agencies, preserve open space and agricultural lands, discourage urban sprawl, and encourage the efficient provision of services. The law also requires the Commission to update information about municipal services before adopting Sphere updates (Government Code section 56430).

The analysis, conclusions, and recommendations in this report were prepared with information provided by, and in consultation with, the City of Tulare. Data sources including reference documents are available for review in the office of LAFCO.

This report contains information about the municipal services provided by the City of Tulare. Information has been gathered about the capacity of services, the ability to provide services, the accountability for service needs, and the efficiency of service provision. The information is organized by seven statutory determinations that need to be made by the Commission: (1) Growth and population projections for the affected area. (2) Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies. (3) Financial ability to provide services (4) status of, and opportunities for, cost avoidance and shared facilities. (5) Accountability for community service needs, including governmental structure and operational efficiencies. (6) Any other matter related to effective or efficient service delivery, as required by commission policy. Chapter 6 includes recently required information and determinations related to disadvantaged unincorporated communities. The Executive Officer recommends that the Commission adopt the updated service review information for the City of Tulare. A draft Resolution will be prepared that supports this recommendation.

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## Written Determinations

### CHAPTER 1

#### *Population Trends & Projections*

1. Based upon population estimates available from the California Department of Finance, the City had a population of approximately 61,199 as of January 2013.
2. Based on US Census data, Tulare experienced an average annual growth rate of 2.93% between 1990 and 2010. The economic downturn and housing market collapse has slowed growth in the City to an annual rate of 1.96% between 2007 and 2012 (based on DOF population estimates).
3. The historical growth rate of 2.93% between 1990 and 2010, the projected growth rate of 2.65% that is currently being used in the City's Draft General Plan Update and the projected growth rate of 2.72% based on DOF County population projections and the City's increasing share of County population all fall within the 2.5% to 3% growth rate range used in the 2007 MSR for the City of Tulare.
4. The City of Tulare's Draft General Plan Update currently assumes a population of 100,000 in 2030 which represents a 2.65% annual growth rate. A 2.65% growth rate appears to be a reasonable estimate in context with DOF population projections and the historical growth for the City.
5. Since the City of Tulare General Plan Update has not yet been adopted and is still subject to change, the population projections and other growth planning assumptions used in the development of the City's UDB should be reviewed again by the Commission during the next comprehensive SOI update for the City.

#### *Growth Planning*

6. The City uses multiple tools to plan for future growth, including but not limited to, General Plan Elements, Specific Plans, and Master Plans.
7. The City is currently in the process of revising the General Plan due to successful litigation filed against the City in 2008. In response to the lawsuit the City is revisiting its UDB boundary.
8. The General Plan Housing Element identifies potential constraints that could limit residential growth within the City, including staff resources to meet such spiked, high demand projected for issuing residential building permits. Planning and building department staff would have to be substantially augmented to meet the projected demands if the volume of applications were heavily peaked at a given time.
9. The City has an Urban Development Line (UDB), adopted as a part of the General Plan Land Use Element, which has been established to accommodate growth through 2015. The comprehensive update of the General Plan Land Use Element will evaluate and modify, as necessary, the UDB to accommodate 20 years of growth. As the City's UDB expands, it will also be necessary to expand the SOI as the UDB approaches the limits of the SOI Boundary.

10. Tulare has adopted the South Tulare Master Plan to expand the industrial base of the City. Ultimate development of the recommended land use concept would require expansion of the existing UDB, the existing SOI, and the existing City Limits.

#### *Annexations/County Islands*

11. Since 2006, Tulare has successfully annexed over 1,200 acres of land into the City.
12. The 2006 MSR for the City of Tulare included a determination that the City should pursue annexing the existing County Islands. It was determined that annexation of “County Islands” could help eliminate public confusion, and increase service efficiencies within these areas. The City of Tulare met its goal of annexing all the “County Islands” within its boundaries and currently there are no “County Islands” in the City of Tulare.

## **CHAPTER 2**

### *Water*

1. The current Master Plan has a planning area coterminous with the City’s Urban Reserve Line, which lies within the City’s UDB and SOI. When the City updates the Master Plan, it is recommended that the planning boundary be extended, at a minimum, to encompass the City’s SOI, to ensure that adequate water supply can be provided to accommodate future growth consistent with General Plan Build-out.
2. Tulare’s water supply source consists of a 30 domestic wells that are scattered throughout the City, extracting water from the City’s underground aquifer. Newer wells drilled by the City over the past thirty-five years are gravel packed and have been drilled to approximately 700 feet. The older wells, and wells purchased by the City are generally around 350 feet deep. The City has one elevated water storage tank with a capacity of 150,000 gallons, and several hydro-pneumatic pressure tanks that are used for storage.
3. The City has an enterprise fund set up for the operation and maintenance of its water system, and a five year capital improvement program (CIP) for water, to implement capital water system improvements.
4. In 2012, the City produced 6,001 million gallons or 18,418 acre-feet (AF), which is equivalent to 16.4 million gallons per day (mgd) of water servicing a population of approximately 60,627. The average single-family residential customer has a monthly usage of 16 thousand gallons (Tgal). The City estimates that the current system operates at approximately 90%-95% of its capacity during summer (maximum demand) months.
5. The City’s water supplies are periodically chlorinated to provide a disinfectant residual that is required by federal and state regulations and helps maintain a safe drinking water supply throughout the distribution system. This treatment process has proven sufficient to meet federal and state primary and secondary drinking water regulations. Hence, the quality of groundwater is not considered an impediment to water supply reliability at this time.
6. The City is engaged in an agreement with the Tulare Irrigation District (TID), in which the

City compensates the District since the City's system benefits from the recharge of the aquifer as a result of the District's operations. The agreement was renewed in 2005 and extends through year 2035.

7. In fiscal year 2005-2006 Per direction from the Board of Public Utilities, conversion of all connections to metered connections began. Since 2005, the City has installed water meters throughout the city and anticipates it will be fully metered by 2015. The City recently implemented a program to improve existing water meters, install additional water meters, and established automated meter readings systems for previously unmetered accounts. The intent of the improvements was to improve the accuracy of the water meters and enhance the City's ability to effectively complete water billing each billing cycle. The City recently installed 5,347 1-inch water meters to services that were not previously installed. There are now 16,756 water meters in the city.
8. The City completed its 2005 UWMP in 2007 and in 2011 completed the 2010 UWMP.
9. The City has a sound management structure in place that will continue to provide efficient water service to existing and future residents of Tulare. The City has recently adopted a five year series of rate increases to fund operations and unforeseen major repairs and/or improvements to the water system.
10. When evaluating any proposed SOI updates, LAFCO should consider which agency can most efficiently provide water service to the subject area and ensure that adequate planning has taken place for the provision of public services.

#### *Wastewater Collection, Treatment and Disposal*

11. The City of Tulare Sewer System Master Plan was last updated in July 2009 by Carollo Engineering. When the City updates the Sewer System Master Plan, it is recommended that the planning Boundary be extended to encompass the City's SOI in order to ensure that adequate sanitary sewer infrastructure can be provide to accommodate future growth consistent with General Plan Build-out.
12. The City has an enterprise fund set up for the operation and maintenance of its sewer/wastewater systems, and a five year CIP for sewer/wastewater, to implement capital sewer/wastewater system improvements.
13. The City of Tulare wastewater collection system consists of a series of pipes and lift stations that transport raw sewage to the City's wastewater treatment facility (WWTF) located southwest Tulare. The City's WWTF includes two separate wastewater treatment trains (WWTTs), one for domestic wastes, and the other for primarily industrial wastes, described as follows.
14. The City owns and operates a wastewater treatment facility (WWTF) located at the intersection of Paige Ave. and West St. in southwest Tulare. The WWTF is operated under the provisions of *Waste Discharge Requirements (WDR) Order No. R5-2002-0186*, issued by the California Regional Water Quality Control Board Central Valley Region. A new WDR was adopted in April 2013 replacing the prior WDR Order No. R5-2002-0185. The City's WWTF has two separate wastewater treatment trains (WWTT), a domestic WWTT, and an industrial WWTT.

15. Based upon information contained in the *Wastewater User Charge Survey Report FY 2007-2008* (Cal EPA – State Water Resources Control Board, May 2008), the average dry weather flow at the WWTF (combined flow for both treatment trains) is approximately 11.3 MGD. Recorded flows indicate that the WWTF is currently operating near its permitted capacity for the domestic WWTT. However, ongoing efforts to improve the plant's capacity and efficiency are expected to increase available capacity to serve future growth. It is likely that additional capacity improvements will need to occur to meet the 20-year growth needs of the City.
16. The expanded domestic WWTT is a 6.0 MGD capacity activated sludge plant that includes headworks with mechanical screens and an aerated grit chamber, primary and secondary sedimentation, biofiltration, activated sludge units, sludge thickening and digestion, and sludge drying. The secondary treatment plant's goal is to remove organic and solid materials and the nitrogen in the wastewater that can pollute the environment. The facility was built in 1920. Several major improvements have been made in the past 30 years to help handle these needs. The recent expansion in 2006 added an anoxic basin to help in the removal of nitrogen to meet the City's total nitrogen requirements, and the headworks were replaced in 2012.
17. The City's budget reflects continued efforts to anticipate and avoid any problems with the sewer/wastewater utilities, with many capital improvements included. Several million dollars in projects are proposed, and bonding and rate increases will continue to be needed.
18. Based upon a review of the City's budget for sewer/wastewater, it appears that the service is being managed in a cost effective and efficient manner. The City's effort to keep sanitary sewer rates in check is evident by the City's issuance of sewer bonds to construct capital improvements to the WWTF. The City is meeting the long term debt obligations of bond issuances.
19. As indicated in the original Municipal Service Review, there is no evidence suggesting that the City cannot continue to provide efficient water service to existing residents of Tulare. In addition, with continued ground water conservation efforts and infrastructure improvements it is likely that it could provide efficient water service to future residents.

#### *Drainage Infrastructure*

20. The Storm Water Management Plan outlines and directs the City's storm water related priorities and activities for the years 2009 through 2013. It provides a comprehensive five year plan to enhance and protect storm water quality in the City.
21. The City has a Storm Drainage Division that is funded through general fund appropriations, and, where appropriate, gasoline tax expenditures where storm drainage installations are in connection with major street projects.
22. Under an agreement with the TID, the City pumps storm water into the TID canal system. The majority of the storm water in the City is collected and flows to central points where it is pumped into the TID canal system under provisions of an agreement renewed in 2005. Disposal of storm water is also handled by means of storm drainage



detention basins and storm drainage retention basins.

23. For fiscal year 2012-2013, \$249,600 was budgeted for the operation of the Storm Drainage Division.
24. The City assesses development impact fees for storm drain infrastructure consistent with City Resolution Number 03-4988. The City storm drain impact fees are \$1,438 per single family dwelling.
25. The City has a five year CIP for storm drainage, to implement capital storm drainage system improvements.
26. The City will need to continually expand and improve its storm drain system to keep pace with development demands. As the City's storm drain system continues to expand, the City will likely need to add additional staff.
27. The City would be the most logical agency to provide storm drain infrastructure for development within the City's SOI. Past improvements to the City's storm drain system have significantly reduced flooding problems in the area.

#### *Streets and Roads*

28. The City plans for roadway transportation improvements through the implementation of General Plan Circulation Element Goals and Policies and Specific Planning.
29. The streets, roads, and circulation patterns in the City of Tulare was studied as a part of the General Plan Circulation Element, which was adopted by the City Council in 2008 but due to successful litigation the General Plan is being revised. This information base provides an excellent foundation for evaluating the transportation issues in the City.
30. For the fiscal year 2012-13 budget cycle \$2,405,490 was allocated to the Streets Division from the general fund. Estimated expenditures totaling \$2,405,490 include salaries and employee benefits totaling \$676,060 maintenance and operation totaling \$1,433,430 capital improvements/outlay totaling \$146,000 debt service totaling \$50,000, a \$100,000 operating transfer to Streets CIP. Capital improvements/outlay funded through general fund appropriations (\$100,000) includes allocations for defective concrete program alley repairs/maintenance , LED "Don't Walk", traffic loops, , Battery back-up system, Street light ballards and Traffic Signal Controllers. Debt service includes principal and interest payments for oversize liability.
31. The City continues to make steady progress towards upgrading and expanding its roadway infrastructure. The City continues to work towards improving the infrastructure that serves its citizens and has a detailed plan for constructing the needed improvements. The City's approach and plan for completing capital improvements is excellent, and in line with the needs of the community.

#### *Fire and Police Protection Services*

32. The Tulare Fire Department currently has 36.51 positions; 1 Fire Chief, 3 Division Chiefs, 0.51 Fire Investigators, 9 Fire Captains, 10 Fire Engineers, 7 Fire Fighter Paramedics, 3 Fire Fighter Paramedics (unfunded), 1 Fire Inspector III, 1 Fire Inspector II, 1 Fire Inspector I, 3 fire stations, 5 fire engines, and one aerial ladder truck (Table

2.4). Standards included in the Tulare Fire Department's Master Plan call for 0.86 fire fighters per 1,000 residents, 0.08 fire stations per 1,000 residents, 0.086 fire engines per 1,000 residents, and 0.086 aerial ladders per 1,000 residents.

33. Based on the performance standards listed in the Master Plan and the City's current population, the Fire Department should have 48 fire fighters, 4 fire stations, 5 fire engines, and 5 aerial ladders. The result is the Tulare Fire Department has a deficit of 32 fire fighters, 1 fire station, and 4 aerial ladders when compared to the City standard.<sup>1</sup>
34. The City continues to upgrade fire facilities and increase fire staff as needed to serve the residents of Tulare through capital improvement funds and general fund allocations.
35. The City adopted a Fire Department Master Plan in 2009. The Master plan addresses how the department should meet community needs and identifies specific goals and objectives to assure that Tulare citizens are adequately protected in the future.
36. The Tulare Police Department operates out of one main station located at 260 South "M" Street and three community policing sub-stations. The Tulare Police Department currently has 75 sworn officers, 9 non-sworn officers, 84 vehicles, and a 16,700-SF police station.
37. Current department standards call for two sworn officers per 1,000 residents, 0.56 non-sworn officers per 1,000 residents, 2 vehicles per 1,000 residents, and 177 SF of facility space per employee. Based on these requirements and the City's current population, the Police Department should have 112 sworn officers, 31 non-sworn officers, 112 vehicles, and 25,345 SF main police station space. The result is the Tulare Police Department having a deficit of 37 sworn officers, 22 non-sworn officers, 28 vehicles, and 8,645 SF in police station space when compared against the City standard.
38. The Tulare Police Department continues to actively support proven crime prevention programs and to explore new and innovative methods to reduce crime in the City. Neighborhood watch crime prevention programs are proven and effective means to substantially reduce not only the incidence of residential burglaries in a specified geographic area, but the incidence of other crimes.
39. The City of Tulare had 405 violent crimes accounting for about 18 percent of the County's total; 1,533 property for crimes about 17 percent of the County's total; and 1,733 larceny-theft crimes for about 19 percent of the County total.
40. The City shall evaluate the fiscal impacts of new development and encourage a pattern of development that allows the City to provide and maintain a high level of urban services (including but not limited to water, sewer, transportation, fire stations, police

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<sup>1</sup> City of Tulare: 2008 Fire Protection and Emergency Services Master Plan

stations, libraries, administrative, and parks), and community facilities, and utility infrastructure, as well as attract targeted businesses and a stable labor force.

#### *Solid Waste*

41. Solid waste collection service is provided by the City while disposal services are provided through Tulare County via area landfills. The City's solid waste collection operations are also integrated with the City's street sweeping activities.
42. The City's solid waste division continues to be very active in providing quality services. A tenth residential route was added in fiscal year 2010-11 due to new housing growth since the last route that was added in 2002.
43. In 1989, the State of California passed the Integrated Waste Management Act. Assembly Bill 939 (AB 939) required all cities and counties implement programs to reduce landfill tonnage by 25% by the end of 1995, and 50% by the end of 2000. The eight Tulare County City's (Porterville, Visalia, Tulare, Lindsay, Dinuba, Farmersville, Exeter, and Woodlake) are involved in a Joint Power Authority (JPA) and are currently at 67% diversion
44. For fiscal year 2012-13, anticipated revenues of \$7,444,190 were projected to cover estimated expenditures totaling \$6,593,640. It appears that the solid waste/street sweeping division is operated in an effective and efficient manner, and meets the needs of current residents, with the ability to serve additional customers.
45. As employee (salaries/benefits), fuel costs, and landfill fees continue to rise, to keep pace with increasing demands and to keep the solid waste/street sweeping fund from incurring losses, refuse collection rate increased to \$20.90 in 2009, \$23.00 in 2010 and \$25.30 in 2011.
46. The City's street sweeping/solid waste division should be able to continue to provide solid waste collection/street sweeping services to existing and future residents, including SOI areas.

### **CHAPTER 3**

#### *Annual Budget*

1. The City of Tulare has sound financing/funding practices in place in order to fund City provided services. The financing functions guide the City on how revenue can be best spent by considering the impact on the community, public perception/acceptance, difficulty of implementing, and impact on employees.
2. Property tax revenue is projected to remain flat at 0% growth to last year's revised revenue estimates.
3. Sales tax revenue estimates are projected at an additional 3% growth as compared to last year's revised revenue estimates.
4. Employee vacancies remain unfilled unless critical to the operation of the City of Tulare.

5. The Government Finance Officers Association (GFOA) recommends a reserve balance of no less than 5-15% of operating revenues in the general fund, or between one and two months of regular general fund expenditures.
6. The City assesses development impact fees to mitigate impacts on infrastructure resulting from new development projects. The City uses these fees to construct capital infrastructure improvements.
7. The City has had to reevaluate the method of approaching the budget the last few years. There has been a structural deficit in place for several years as expenses grew at a faster rate than revenues while management awaited economic recovery.

#### *Local Funding*

8. The capital improvement program is funded through development impact fees, and as appropriate, transfers from other City funds.

#### *Outside Funding*

9. The City also actively seeks outside funding through state and federal grant and loan programs. The City's grant writing efforts resulted in grants for the construction of parks, medians, asphalt rubber chip seals for city streets, police and fire protection, special projects and other benefits to the City.

#### *Bond Ratings*

10. In the past few years, the City has been selling bonds to finance expensive capital improvements to its WWTF and to refinance higher interest, existing borrowings. . These bonds have been rated "Aaa" by Moody's Investors Services and "AAA" by Standard and Poors.<sup>2</sup>

#### *State Fiscal Impacts*

11. The City identifies the biggest threat to City services over the past twenty years as the California State government. The constitutional protection passed in November 2004 reduces the unfortunate threat to the financial future of the City.
12. The City will need to continue to seek ways to offset revenue losses resulting from the state fiscal conditions. Additional revenue streams could be generated by continuing to aggressively seek state and federal grant funding, local tax initiatives, working with the private sector to fund certain activities, and promoting economic development that will generate tax revenue.

## **CHAPTER 4**

### *Cost avoidance*

1. The City of Tulare uses conservative budgeting practices to ensure adequate and cost-effective services to current residents. It can be expected that the City will avoid unnecessary costs that may be caused by the annexation of the proposed SOI areas

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<sup>2</sup> City of Tulare Comprehensive Annual financial Report for Fiscal Year Ended June 30, 2012.

through comprehensive analysis of the costs and benefits of a proposed development in those areas.

2. The City has a thorough and well-established budget process that it can continue to improve upon as a way of avoiding unnecessary costs.
3. Master planned infrastructure helps the City in avoiding unnecessary costs through effective planning and implementation policies, and eliminating overlapping and/or duplicative services.
4. The City's developer impact fee program has proven effective in reducing the financial responsibility of the City to install and maintain infrastructure to serve new developments. The primary financial responsibility for the installation and maintenance of infrastructure to serve the SOI areas would be offset by impact fees and expenses paid for by the developer.
5. The City has a well-defined purchasing policy that promotes healthy competition and guides the City in obtaining cost effective and quality services.
6. The City's use of landscaping and lighting districts, along with impact fees is an important aspect of avoiding future financial liability. The formation of homeowners associations for larger scale residential development could also help reduce the financial liabilities of the City.

#### *Fee Structure*

7. The City is able to provide quality service generally at comparable rates compared to than other cities within the County. There is no evidence suggesting that the annexation of areas within the SOI and/or UGB would result in unreasonable fees for these services as properties annex and develop within the city except to the extent that significant non-conforming uses exist in these areas. Also, to the extent that any areas within the SOI and/or UDB have existing infrastructure deficiencies. It is anticipated that fees for the SOI/UGB areas would be in line with citywide fees for such services. It is anticipated that fees for the SOI/UGB areas would be in line with citywide fees for such services.

#### *Current Shared Facilities*

8. The City has worked with TCAG and Tulare County RMA on regional planning issues including transportation, solid waste, and coordinating applications to request State and/or Federal funding for joint projects.
9. The City has mutual aid agreements with surrounding jurisdictions to provide and/or receive emergency and fire support services.
10. The City actively works with the TID and the Kaweah Delta Water Conservation District on groundwater recharge, and water resource management issues.
11. The City coordinated with Caltrans on a new landscape project along SR 99 through Tulare and explored funding possibilities and set a timetable for wall construction along freeway abutting residential areas.

### *Future Opportunities*

12. The City has several future opportunities to share services and/or facilities in the future, including but not limited to: groundwater recharge efforts, recreational facilities within mutual benefit areas, sharing facilities with the school district, and agricultural land preservation.

## **CHAPTER 5**

### *Government structure options*

1. Since development of properties within the SOI generally relies on Master Planned infrastructure available from the City, it is logical for the City to assume the lead in planning for these sites.
2. The City has a sound governmental structure that provides necessary resources to provide public services and infrastructure improvements within the SOI area.
3. Coordinated infrastructure plans for development within the SOI area that are submitted with specific annexation requests would create a checks and balance system for incorporating lands into the City while promoting improvements to impacted adjacent County land.
4. Tulare County LAFCO has adopted specific policies for reviewing proposals for a change in organization, reorganization, incorporations, dissolution and other proposals processed by Tulare County LAFCO, including annexations, and SOI amendment proposals.
5. The City is currently underway with revising its General Plan and growth boundaries. An SOI update should wait until the completion of the City's General Plan update. However, the adoption of this MSR will allow for the Commission to hear SOI amendment requests pursuant to GC section 56428 and Tulare County LAFCO Policy C-5.7.
6. Currently, both the City of Visalia's and City of Tulare's SOI extend past their 20-year UDBs and meet along Avenue 264. Because of the relationship between the two cities' SOIs, it is recommended that both SOI updates be completed at the same time. The City of Visalia is also in the process of updating its General Plan and growth boundaries.
7. As part of the eventual SOI update, the location of the SOI in relation to the various unincorporated communities around Tulare will need to be reviewed. There are several communities that are within one growth boundary but not the other. Government Code section 56425(e)(4) allows for the inclusion of "Communities of Interest" in an agency's SOI.

### *Management Efficiencies*

8. The City has an effective organizational structure that is readily available to respond to the needs of the community.
9. The numerous awards and recognitions the City has received are indicators of the City's excellent management strategies to respond to the needs of the community and its citizens.

10. There is no evidence indicating that the City's current management structure would not be able to assume services within the SOI area, and/or continue to assist other agencies through mutual aid agreements.
11. As a part of the budget process, the City evaluates the accomplishments during the previous budget cycle, and also outlines specific objectives for the following budget cycle. This is done for each department at the division level.

#### *Local Accountability and Governance*

12. The City complies with the Brown Act Open-Meeting Law and provides the public with opportunities to get information about City issues, including website and phone access, and bill inserts. The City also posts a calendar of events, and on a quarterly basis, a discussion of "Current City Issues", on their website ([www.ci.tulare.ca.us](http://www.ci.tulare.ca.us)).
13. The City maintains a comprehensive website, which provides a means to keep the public informed on local events, current City projects, department budgets, recreational activities, and other activities occurring in the City.
14. The City conducts public workshops to keep the public involved with local planning issues including land use, housing, circulation, and other issues key to the development and growth of Tulare.
15. The City continues to demonstrate acceptable local accountability and governance by responding, in a timely fashion, to the needs of the community and its citizens.

## **CHAPTER 6**

#### *Disadvantaged and Other Developed Unincorporated Communities*

1. There are five unincorporated communities within the existing City SOI (Matheny Tract, Tract 396, Lone Oak Tract, Soultis Tract and Tract 103) and one unincorporated community (East Tulare Villa) that would be adjacent to the SOI if an annexation of the COS campus is approved. Matheny Tract, East Tulare Villa, Lone Oak Tract and Soultis Tract have been determined by LAFCO to be disadvantaged pursuant to Government Code and local adopted policy. The City of Tulare has not made a similar determination.
2. Tract 396 is connected to CalWater's Visalia system. East Tulare Villa is served by CalWater's Tulco system. Lone Oak Tract is connected to the City of Tulare's system. Tract 103 is served by individual wells. Soultis Tract is served by the Soultis Mutual Water Company. Matheny Tract is served by Pratt Mutual Water Company but is in the process of connecting to the City of Tulare's system.
3. Matheny Tract's arsenic contamination issues are being resolved by the replacement of existing infrastructure and connection into the City system. Soultis Tract domestic water has nitrate contamination and there is an outstanding grant request that would also enable the replacement of existing infrastructure and connection into the City system.

4. All of the unincorporated communities sewer service are individual septic systems. The County is discussing with the City about possibly extending City sewer service to Matheny Tract.
5. The unincorporated communities are primarily served by the County fire department. The City and the County have a mutual-aid agreement for fire protection services with 3 City fire stations and 1 County fire station in the Tulare area.
6. The inclusion of the various unincorporated communities around Tulare in its SOI shall be reviewed in the next SOI update.

*Conflicting Growth Boundaries*

7. LAFCO shall determine the SOI for the City of Tulare pursuant to State law and Tulare County LAFCO Policy C-5.
8. The City of Tulare's SOI Update should wait until after the completion of their General Plan Update. SOI amendments can occur following the adoption of this MSR update.
9. Due to the relationship of the City of Tulare's and Visalia's SOIs, the SOI updates for both of the cities should be completed contemporaneously.
10. The City and County have entered into a MOU to (among other issues) use their best efforts to adopt UDBs coterminous with the SOI.



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# 1 Growth and Population

The purpose of this section is to present historical and projected growth patterns and population projections to establish a baseline for the evaluation of service needs.

The latest available information from the Department of Finance (DOF) estimates that the City has a population of 61,199 as of January, 2013.

The 2010 Census indicated that the City had an incorporated area of 21.0 square miles, 18,863 housing units and a population of 59,278. This is compared to 141,696 housing units and a population of 442,179 for the County as a whole. In 2010, the City's population made up 13.4% of the County. The City's population share has consistently increased from 10.7% in 1990 to 12% in 2000 to 13.4% in 2010 [Table 1-1].

**Table 1-1 Tulare Population Growth Comparisons: 1990-2010**

<i>Population</i>	<i>Year Beginning:</i>					<i>Average Annual Growth rate</i>		
	<i>1990</i>	<i>2000</i>	<i>2005</i>	<i>2007</i>	<i>2010</i>	<i>1990 - 2000</i>	<i>2000 - 2010</i>	<i>2007 - 2010</i>
Tulare	33,249	43,994	48,974	55,017	59,278	3.2%	3.5%	2.58%
Tulare County	311,921	368,021	404,148	419,842	441,245	1.25%	1.9%	1.7%
Tulare as a % of:								
Tulare County	10.7%	12%	12.1%	13.1%	13.4%	NA	NA	NA

Sources: US Census, California Department of Finance

Tulare experienced an average annual growth rate of 2.93% between 1990 and 2010. The recession and weak housing market in recent years has caused the annual growth rate to slow in the last five years to 1.96% between 2007 and 2012. The City's Draft General Plan Update is currently using a forecasted annual rate of growth of 2.65% to 2030. A 2.65% growth rate would give the City a population of 100,000 in 2030. Extrapolating the historical 1990-2010 growth rate of 2.93% would give the City a population of 105,684 in 2030.

The Department of Finance (DOF) released finalized population projections at the county level on January 31, 2013 [Table 1-2]. The DOF estimates that there will be a population of 630,303 in Tulare County in 2030. At a 2.65% growth rate, the City would account for 15.9% of the County's population while a 2.93% growth rate would account for 16.8% of the County's population. If the City's share of County population continues to grow at the same level as between 1990 and 2010 (1.3% to 1.4%), the City's population share would be 16.1% of the County in 2030. At 16.1% of 630,303, the City's population would be 101,479. This would be an annual increase of 2.72%.

**Table 1-2 California Department of Finance Population Projections**

	Estimate		Projections							
	2000	2010	2015	2020	2025	2030	2035	2040	2045	2050
California	34,000,835	37,309,832	38,801,063	40,643,643	42,451,760	44,279,354	46,083,482	47,690,186	49,108,689	50,365,074
Tulare County	368,805	443,066	473,785	526,718	575,294	630,303	682,022	722,838	755,809	784,334

The 2007 MSR for the City of Tulare assumed a growth rate range of 2.5% to 3%. The historical growth rate of 2.93% between 1990 and 2010, the City's estimated growth rate of 2.65% currently being used in the City's Draft General Plan Update and the growth rate of 2.72% using DOF projections in combination with the City's share of County population all fall within the original range [Table 1-3].

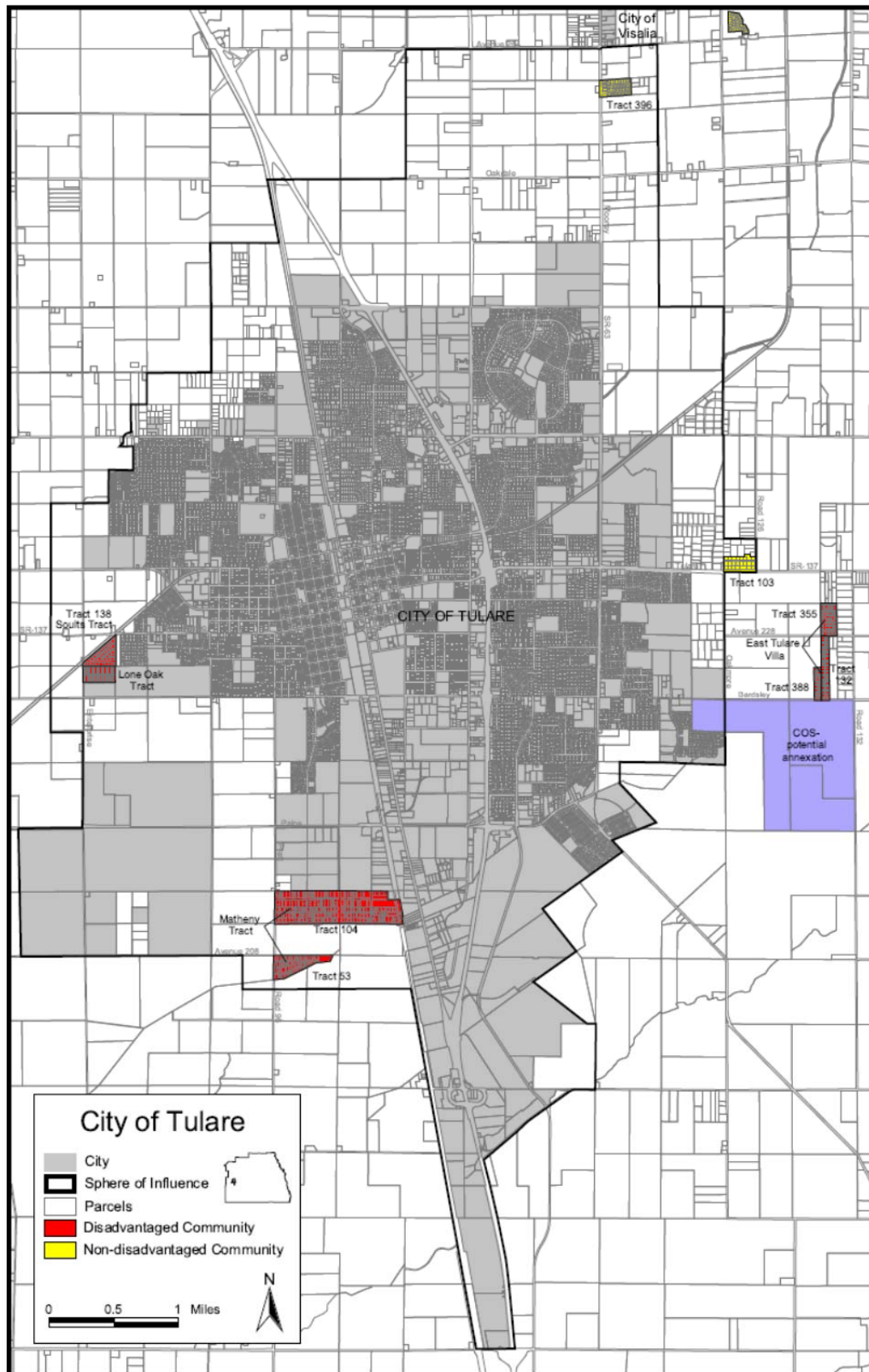
**Table 1-3 Growth Rate Comparison**

	2007 MSR Low	Draft Tulare GP	DOF/County Share*	Historic 1990-2010	2007 MSR High
% Annual Growth	2.5%	2.65%	2.72%	2.93%	3.0%
2030 Population	97,134	100,000	101,479	105,684	107,063

\*assumes 1.35% increase in City share of County population every 10 years

Since the City of Tulare General Plan Update has not yet been adopted and is still subject to change, the population projections and other growth planning assumptions should be reviewed again by the Commission during the next comprehensive SOI update for the City.

Figure 1.2



## *General Plan*

The City of Tulare manages and plans for growth through the preparation and implementation of planning documents including but not limited to General Plan Elements, Specific Plans, and Master Plans. According to the California Planners Information Network (CALPIN), the City of Tulare last updated its General Plan Elements as follows.

- Housing Element Update – 2010
- Public Safety Element – 1990
- Noise Element – 1987
- Conservation Element – 1975

The City of Tulare through the General Plan Update has comprehensively updated the Land Use, Circulation and Circulation Elements of their General Plan. The City of Tulare Housing Element identifies the following action plan with regard to a comprehensive update of the land use element.

*“During this 5-year Housing Element cycle, the Land Use Element will be amended to ensure that there is sufficient land within the Urban Development Line to meet future residential needs for twenty years.”*

In 2008 the General Plan Update was successfully challenged in court. Currently the City is underway with revising its General Plan and growth boundaries. A programmatic EIR is being prepared to address the environmental impacts associated with the revisions to the General Plan update that was prepared in 2007.

## *Specific/Master Planning*

In addition to General Plan Elements, the City also guides future growth through the preparation of Specific Plans and Master Plans. The City has adopted the following Specific/Master Plans and Environmental Impact Reports (EIR) to guide growth in the City:

- Del Lago Specific Plan Second Amendment (Quad Knopf, March 2003)
- Master Plan for South Tulare (Quad Knopf, December 2000)
- Lagomarsino Annexation Project Final EIR (McClelland Consultants, August 1990)
- City of Tulare Wastewater Treatment Facility Expansion Final EIR (Quad Knopf, August 2001)
- College Of The Sequoias Tulare Center Master Plan
- Water system master plan, Carollo engineers, July 2009
- Sewer system master plan, Carollo engineers, July 2009
- Storm Drainage System Master Plan, Carollo Engineers, July 2009
- 2010 urban water management plan, Carollo engineers, June 2011
- Storm water management plan, quad Knopf, January 2009

The area includes land within the current City Limits, and land outside of the current City Limits, and land outside of the current Urban Development Line and SOI. Ultimate development of the recommended land use concept would require expansion of the existing Urban Development Line, the existing SOI, and the existing City Limits.

Tulare is a master planned community: Specifying standards for street requirements, road maintenance, park development, flood control and signalization. Infrastructure continues to be improved on a development-by-development basis.<sup>3</sup>

### *Planning Boundaries*

The City General Plan identifies two boundary types around the City of Tulare; an Urban Area Boundary (UAB) and an Urban Development Boundary (UDB). The UDB closely mirrors the city's SOI and is intended to be the 20-year growth boundary, where development may occur. The UAB is a larger boundary that the County defines as the ultimate growth boundary for the city. The City of Tulare's Planning Area falls completely within the UAB established by the County General Plan<sup>4</sup>.

Due to the successful litigation of the City's 2008 General Plan Update, the City is considering revisions to their UDB. A key issue the City needs to address in their revised document is the growth planned for in the previous General Plan. The court specifically stated that the General Plan was not in line with Tulare County Local Agency Formation Commission (LAFCO) Policy C-5, which calls for a city's Sphere of Influence (SOI) to include land for a 20-year development horizon<sup>5</sup>. In a memo dated August 16, 2012, the City provided maps that will assist the Planning Commission with their discussion about potential revisions to the Urban Development Boundary (UDB).

The following is taken from the memo identifying two UDB options for the revised General Plan Update currently being drafted.

*To respond to the court order, the City must contract the existing UDB. Figure 1 shows the UDB from the Draft 2030 General Plan struck down by the court order, the Urban Reserve Line established by the 1993 General Plan EIR, and the 2015 UDB. The 2015 UDB currently regulates how far outward the city can grow. Based on input from the General Plan Review Committee (GPRC) and City staff, The Planning Center | DC&E has prepared two UDB options for the Planning Commission to consider, as shown on Figure 2. To understand how the proposed revisions to the UDB would affect future development, we have calculated the potential full buildout for the revised UDB options as well as the existing UDB. We have also detailed historic growth trends to help the Planning Commission understand how much land would be needed if the city continues to grow at past growth rates.*

As indicated on Figure 1.3 the City's Urban Development Boundary generally lies within the City's overall SOI. The City is in the process of completing a comprehensive update to their General Plan Land Use Element, which would evaluate and modify as necessary, to accommodate 20 years of growth or the City's Urban Development Boundary(UDB). As the City UDB expands, it will also be necessary to expand the SOI as the UDB approaches the limits of City's SOI Boundary.

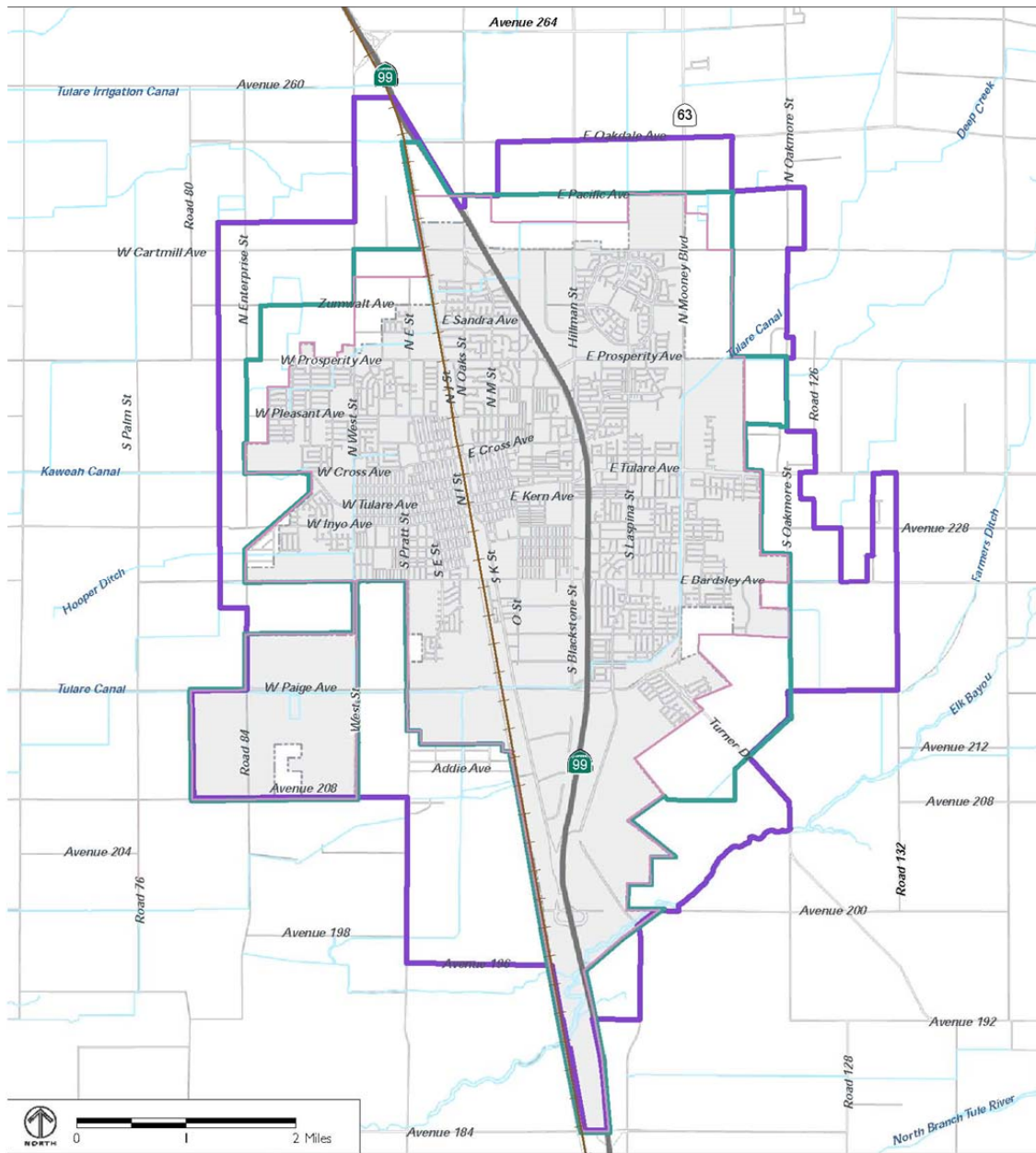
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<sup>3</sup> City of Tulare's website

<sup>4</sup> City of Tulare Draft General Plan 2008

<sup>5</sup> The Planning Center | DC&E August 16, 2012

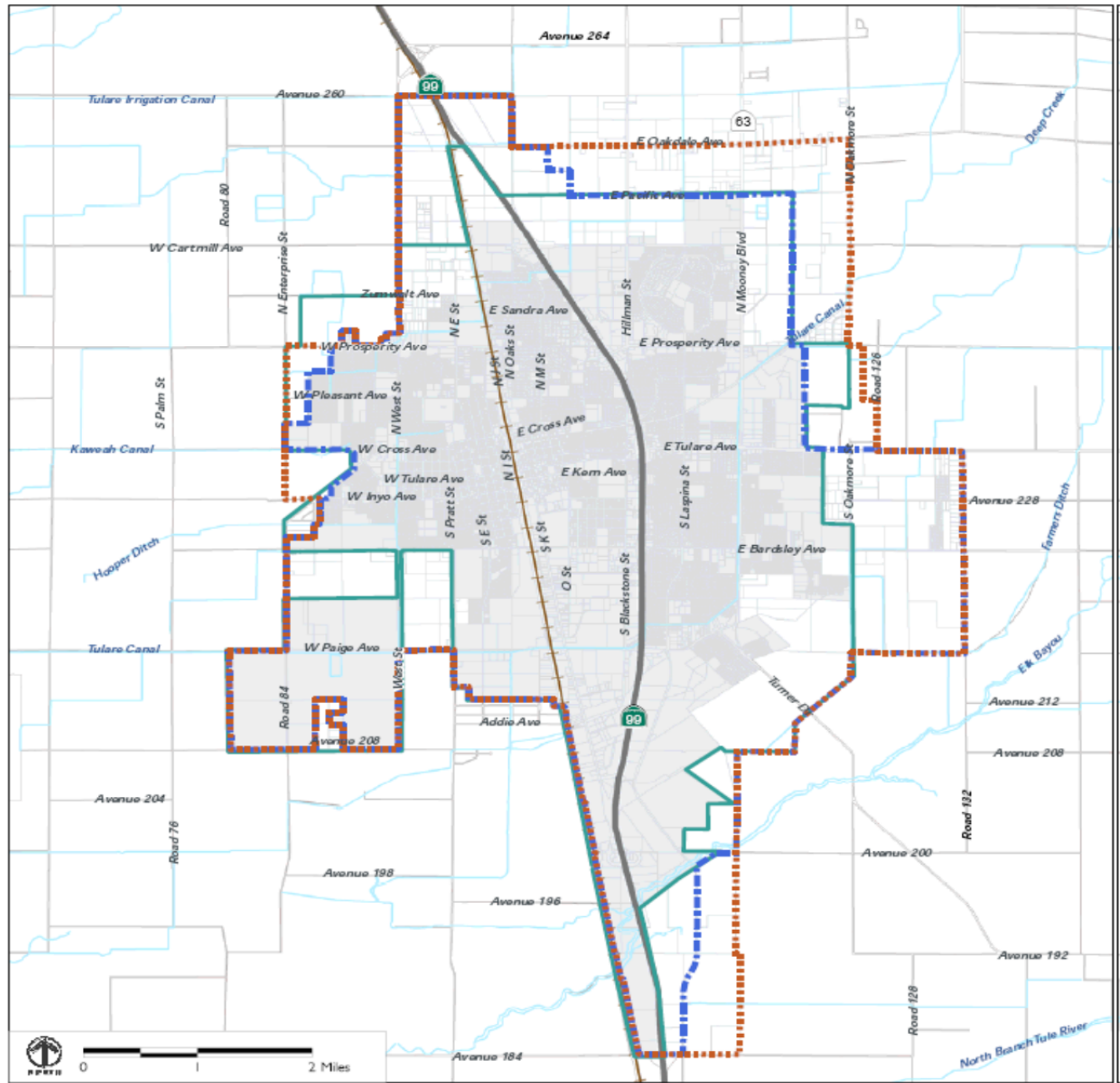
**Figure 1.3: The Planning Center | DC&E August 16, 2012 *Figure 1***



Source: City of Tulare, Tulare County, and The Planning Center | DC&E.

- Urban Reserve Line
- 2015 Urban Development Boundary
- Urban Development Boundary from Draft 2030 General Plan
- City Limit

FIGURE 1.4: THE PLANNING CENTER | DC&E AUGUST 16, 2012 *FIGURE 2*



Source: City of Tulare, Tulare County, and The Planning Center | DC&E.

- City Limit
- 2015 Urban Development Boundary
- Urban Development Boundary Option 1
- Urban Development Boundary Option 2



**Table 1.3 Department of Finance Historic Growth****TABLE 1 CITY OF TULARE HISTORIC GROWTH**

Year	City of Tulare Population	Total % of Growth Over Preceding Decade	Average % Growth Over Preceding Decade
1890	2,697	n/a	n/a
1900	2,216	-17.83%	-1.95%
1910	2,758	24.46%	2.21%
1920	3,539	28.32%	2.52%
1930	6,207	75.39%	5.78%
1940	8,259	33.06%	2.90%
1950	12,445	50.68%	4.19%
1960	13,824	11.08%	1.06%
1970	16,235	17.44%	1.62%
1980	22,530	38.77%	3.33%
1990	33,249	47.58%	3.97%
2000	43,994	32.32%	2.84%
2010	59,278	34.74%	3.03%

Source: California Department of Finance.

Table 1.4 summarizes the land use designations, along with gross acreages, for the City limits and UDB. The land use classifications are consistent with the Land Use Diagram and Standards described in the City's General Plan Update. The existing land uses include 5,056 acres of residential, 1,598 acres of commercial, 1,781 acres of industrial, 340 acres of Parks and Recreation, and 1,625 acres of Public facilities (see table 2.1).<sup>6</sup>

The City is in the process of updating its General Plan. The City limits and Urban Development Boundary (UDB), as established from the City's Land Use Diagram (Updated December 2007), are 19 square miles (12,281 acres) and 37 square miles (23,608 acres), respectively.

<sup>6</sup> 2010 Urban Water Management Plan: City of Tulare

**Table 1.4: Taken from the City of Tulare 2009 Water System Master Plan**

Table 2.1 Land Use and Vacant Area 2010 Urban Water Management Plan City of Tulare						
Land Use Designation	Code	City Limits				Urban Development Boundary
		2006 Total (gr. Ac.)	2006 Vacant (gr. Ac.)	2006 Developed (gr. Ac.)	Vacant (%)	2030 Total (gr. Ac.)
Residential Designations						
Rural Residential	R-RR	30	29	1	0%	813
Rural Estate	R-RE	90	79	11	1%	623
Low Density Residential	R-LDR	4,257	1,739	2,518	14%	5,612
Medium Density Residential	R-MDR	614	206	408	2%	735
High Density Residential	R-HDR	66	19	47	0%	66
Commercial Designations						
Neighborhood Commercial	C-NC	13	6	7	0%	18
Community Commercial	C-CC	856	610	246	5%	894
Regional Commercial	C-RC	76	76	0	1%	280
Service Commercial	C-SC	506	103	403	1%	577
Central Business District	CBD	130	10	120	0%	130
Entertainment Commercial	C-EC	0	0	0	0%	937
Office Commercial	C-OC	16	14	2	0%	35
Industrial Designations						
Light Industrial	I-LI	561	202	359	2%	1,966
Heavy Industrial	I-HI	1,219	501	719	4%	3,106

Table 2.1 Land Use and Vacant Area 2010 Urban Water Management Plan City of Tulare						
Land Use Designation	Code	City Limits				Urban Development Boundary
		2006 Total (gr. Ac.)	2006 Vacant (gr. Ac.)	2006 Developed (gr. Ac.)	Vacant (%)	2030 Total (gr. Ac.)
Other Designations						
Public/Quasi-Public	PUB	1,625	149	1,476	1%	2,306
Parks and Recreation	PRK	340	47	293	0%	394
Open Space	OS/AG	13	0	13	0%	386
Roadways and Railroads	--	1,864	0	1,864	0%	2,322
Reserve Designations						
Village	NC	5	0	5	0%	2,272
Residential Reserve	UR-R	0	0	0	0%	0
Commercial Reserve	UR-C	0	0	0	0%	0
Industrial	UR-I	0	0	0	0%	136
Total		12,281	3,788	8,492	31%	23,608

Source: 2009 Water System Master Plan; table developed based on data provided from the Draft General Plan Update (Matrix Design Group)

## Residential

This Housing Element (2010) is a comprehensive update of the previous Housing Element (2005) and is valid for a 7½-year planning period (i.e., January 1, 2007 to June 30, 2014). The previous Housing Element (2005) served a planning period from 2001 to 2007.

**TABLE 1-5  
YEAR 2010 HOUSEHOLD DWELLING  
UNIT OCCUPANCY RATES COMPARISON**

City	Persons Per Unit
City of Tulare	3.33
County of Tulare	3.36
City of Farmersville	4.08
City of Visalia	2.98
City of Porterville	3.39
City of Exeter	3.04
City of Lindsay	3.87
City of Woodlake	3.70
City of Dinuba	3.71

*Source: DP-1: Profile of General Population and Housing Characteristics:  
2010 Census Summary File 2*

Tulare had 18,863 total housing units in the year 2010 based upon information provided in the *US Census Bureau* of the 18,863 total housing units, 17,720 units (93.94%) were occupied while 1,143 units (6.05%) were vacant. Of the occupied units, 55.07% were owner-occupied, while 38.86% were renter-occupied. Based upon the above occupancy and housing data, along with *Census 2010* population data, it can be concluded that City of Tulare has an average household density of approximately 3.33 persons per household. A comparison of household densities for all cities in Tulare County is provided in Table 1-5.

As indicated, Tulare had a 2010 "dwelling unit occupancy rate" of 2.90 persons per household, the lowest of all cities within Tulare County, lower than the County average of 3.12, and slightly lower than the statewide average of 2.96 persons per household. The housing element is a comprehensive assessment of current and future housing needs for all segments of the city population, as well as a program for meeting those needs.

## Commercial Centers

Between 1990 and 2010, an average of 99,669 square feet of new commercial development was constructed per year in Tulare, for a total of 1.9 million square feet. Based upon State and regional demographic data, it is likely that Tulare could grow at an average annual growth rate between 2.5 and 3.0 percent over the next 20 years. Therefore, it is possible that Tulare could experience a similar rate of commercial growth, compared to the previous 20 years<sup>7</sup>. Let it also be noted that the city of Tulare is becoming a regional commercial center due to the outlet mall and proximity to state route 99.

Tulare has access to a wide range of goods, services and shopping centers. Tulare's downtown features various gift shops, custom-made clothing stores, florists and antique shops, restaurants,

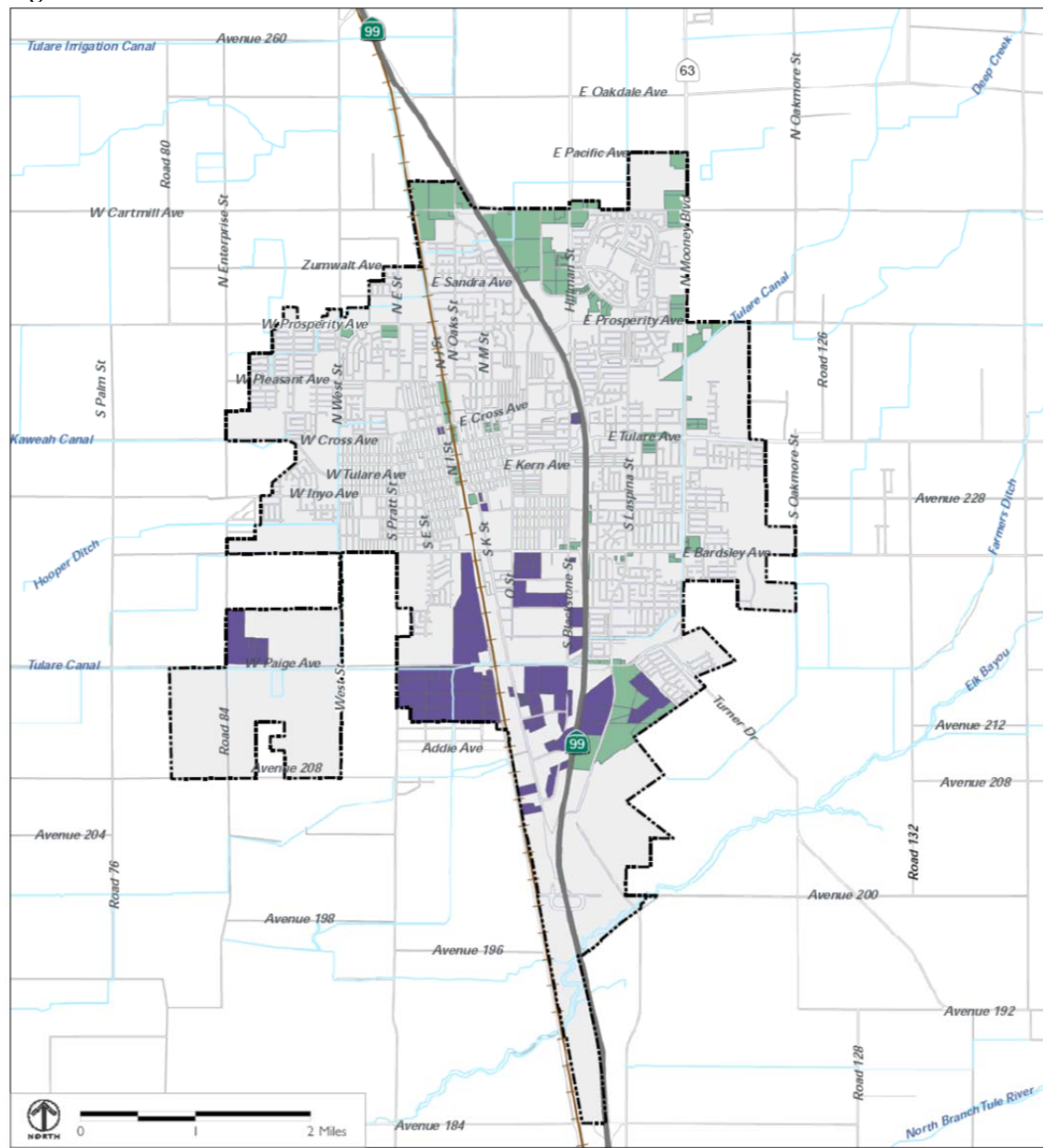
<sup>7</sup> The Planning Center | DC&E August 16, 2012

banks, service stations and other businesses. Tulare Outlet Center is positioned on Hwy 99, the central thoroughfare of the San Joaquin Valley, extending north to I-5 through San Francisco / Sacramento and extending south to I-5 through Los Angeles. Tulare Outlet Center is the only outlet center within a 2 1/2 hour driving radius. The Center is 226,413 sq. ft. encompassing over 50 brand name outlets, a 10-screen movie theatre and restaurants.

#### *Industrial Park*

The City has four industrial parks, at an estimated 1,200 acres zoned for light to heavy industries. Parcel sizes range from 1 acre to 195 acres, and are mostly improved. Terrain is flat with good drainage, while subsoil is sandy and piling is not required. Most sites are adjacent to the 99 Freeway and Union Pacific rail. See figure 1.5

**Figure 1.5 – Vacant Industrial and Commercial Zoned land<sup>8</sup>+**



Source: City of Tulare, Tulare County, and The Planning Center | DC&E.



<sup>8</sup> The Planning Center | DC&E August 16, 2012

## 1.4 Annexations

### *Annexations (2006 – Present))*

Since 2006, Tulare has successfully annexed over 1,200 acres of land into the City. Table 1.6 below provides an annual breakdown of the amount of land that has been annexed into the City between 2006 and 2012. The table includes all recorded and approved annexations as of December 2012. Annexations have occurred along the northern, eastern, and western City Limits. An annexation of 965 acres for the Tulare Motor Sports project was proposed and approved in 2009 but has since been repealed.

**TABLE 1.6  
HISTORICAL ANNEXATIONS (2006 – 2005)**

<b>Year</b>	<b>Acres Annexed</b>
2006	415.91
2007	221.76
2008	121.04
2009	0 <sup>9</sup>
2010	461
2011	0
2012	0
<b>Total</b>	<b>1,219.71</b>

As indicated in Table 1.6, annexations have occurred from 2006 to 2008, and 2010 totaling approximately 1,219 acres. All annexations have been within the boundary of the City's Urban Development Line and SOL. It should also be noted that the City went through the process of annexing County islands, which increased the City's population by an estimated 2,000 plus residents.

### *County Islands*

In 2000, the State Legislature, recognizing the inherent inefficiencies of urban unincorporated islands, and in an effort to encourage their annexation, allowed for a simplified annexation process for the islands. Assembly Bill (AB) 1555 allowed annexations of urban unincorporated islands that were 75 acres or less and that meet certain criteria to be approved without protest or election. Senate Bill (SB) 1266 (Torlakson), effective January 1, 2005, amended AB 1555 by expanding the maximum area for island annexations from 75 to 150 acres, with all other provisions of AB 1555 remaining unchanged.

Since then other legislation was extending the time period to January 1, 2014. Following January 1, 2014, unless further legislation is adopted the small island provisions will remain in the statute except for the provisions waiving the protest proceedings. The current law pertaining to island annexations provides that the Commission *shall* approve annexation of an island if the island meets certain conditions, including size (150 acres or less) and characteristics (i.e., surrounded or substantially surrounded by a city or by a city and adjacent cities).

The 2006 MSR for the City of Tulare included a determination that the City should pursue annexing the existing County Islands. Incorporation of "County Islands" could help eliminate public confusion,

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<sup>9</sup> In 2009 the City annexed of 965 acres for the Tulare Motor Sports Complex. The annexation was overturned in 2011 as the result of CEQA litigation.

and increase service efficiencies within these areas. The City of Tulare met its goal of annexing all the County Islands within its boundaries and currently there are no County Islands in the City of Tulare. The City has successfully annexed all of its developed islands. There were 12 islands, containing 458 acres of land, 655 housing units and 1,807 people.

## **1.5 Potential Sphere of Influence Updates**

In 2008 the previous General Plan Update was successfully challenged in court. Currently, the City is again in the process of updating its General Plan and UDB. A key issue in the court order was the growth prediction in the challenged General Plan. The court specifically stated that the General Plan Update was not in line with Tulare County Local Agency Formation Commission (LAFCO) Policy C-5, which calls for a city's Sphere of Influence (SOI) to include land for a 20-year development horizon<sup>10</sup>. Once the City completes its revised UDB in the General Plan Update the Sphere of Influence can be updated to reflect the policies of Tulare County LAFCO. State law provides that, in order to carry out its responsibilities for planning and shaping the logical and orderly development of local government agencies, the Local Agency Formation Commission shall develop and determine the sphere of influence of each local governmental agency within the county (Government Code Section 56425). 'Sphere of Influence' means a plan for the probable physical boundaries and service area of a local government agency (Government Code Section 56076). It is recommended that the City of Tulare's SOI update should wait until after the completion of their new General Plan update and after the completion of the City/County MOU process.

### **Written Determinations**

#### *Population Trends & Projections*

1. Based upon population estimates available from the California Department of Finance, the City had a population of approximately 61,199 as of January 2013.
2. Based on US Census data, Tulare experienced an average annual growth rate of 2.93% between 1990 and 2010. The economic downturn and housing market collapse has slowed growth in the City to an annual rate of 1.96% between 2007 and 2012 (based on DOF population estimates).
3. The historical growth rate of 2.93% between 1990 and 2010, the projected growth rate of 2.65% that is currently being used in the City's Draft General Plan Update and the projected growth rate of 2.72% based on DOF County population projections and the City's increasing share of County population all fall within the 2.5% to 3% growth rate range used in the 2007 MSR for the City of Tulare.
4. The City of Tulare's Draft General Plan Update currently assumes a population of 100,000 in 2030 which represents a 2.65% annual growth rate. A 2.65% growth rate appears to be a reasonable estimate in context with DOF population projections and the historical growth for the City.
5. Since the City of Tulare General Plan Update has not yet been adopted and is still subject to change, the population projections and other growth planning assumptions used in the

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<sup>10</sup> The Planning Center | DC&E August 16, 2012

development of the City's UDB should be reviewed again by the Commission during the next comprehensive SOI update for the City.

#### *Growth Planning*

6. The City uses multiple tools to plan for future growth, including but not limited to, General Plan Elements, Specific Plans, and Master Plans.
7. The City is currently in the process of revising the General Plan due to successful litigation filed Against the City in 2008. In response to the lawsuit the City is revisiting its UDB boundary.
8. The General Plan Housing Element identifies potential constraints that could limit residential growth within the City, including staff resources to meet such spiked, high demand projected for issuing residential building permits. Planning and building department staff would have to be substantially augmented to meet the projected demands if the volume of applications were heavily peaked at a given time.
9. The City has an Urban Development Line (UDB), adopted as a part of the General Plan Land Use Element, which has been established to accommodate growth through 2015. The comprehensive update of the General Plan Land Use Element will evaluate and modify, as necessary, the UDB to accommodate 20 years of growth.. As the City's UDB expands, it will also be necessary to expand the SOI as the UDB approaches the limits of the SOI Boundary.
10. Tulare has adopted the South Tulare Master Plan to expand the industrial base of the City. Ultimate development of the recommended land use concept would require expansion of the existing UDB, the existing SOI, and the existing City Limits.

#### *Annexations/County Islands*

11. Since 2006, Tulare has successfully annexed over 1,200 acres of land into the City,
12. The 2006 MSR for the City of Tulare included a determination that the City should pursue annexing the existing County Islands. It was determined that annexation of "County Islands" could help eliminate public confusion, and increase service efficiencies within these areas. The City of Tulare met its goal of annexing all the "County Islands" within its boundaries and currently there are no "County Islands" in the City of Tulare.



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## **2 Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs & Deficiencies**

The purpose of this section is to evaluate the infrastructure needs and deficiencies of the City of Tulare in terms of availability of resources, capacity to deliver services, condition of facilities, service quality, and levels of service. An overview of services including water, storm drainage, wastewater collection and treatment, streets and roads, fire and police protection, and solid waste is provided focusing on past improvements and planned future improvements.

LAFCO is responsible for determining that an agency requesting an SOI amendment is reasonably capable of providing needed resources and basic infrastructure to serve areas within the city and its SOI. It is important that these findings of infrastructure and resource availability are made when revisions to the SOI and annexations occur. LAFCO accomplishes this by evaluating the resources and services to be expanded in line with increasing demands.

### **3.1 Domestic Water**

The San Joaquin Valley Groundwater Basin lies within the San Joaquin River and Tulare Lake Hydrologic Regions. The southern portion of the basin lies in the Tulare Lake Hydrologic Region and consists of seven groundwater sub-basins. These sub-basins are the Kings, Westside, Kaweah, Tulare Lake, Pleasant Valley, Tule, and Kern (Figure). These sub-basins are described in detail below. The Tulare Lake HR portion of the basin covers approximately 5.15 million acres. Groundwater is extensively used in the San Joaquin Valley Groundwater Basin by agricultural and urban entities and accounts for approximately 48% of the groundwater used in the State (DWR 2003).<sup>11</sup>

The Tulare Lake Basin is in an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin; the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the state, and 56 percent of the statewide total overdraft. Within the Kaweah Sub basin portion of the regional area, it is estimated to be about 20,000 to 30,000 acre-feet per year. The Kaweah and St. Johns Rivers are the two major rivers within the Kaweah sub-basin.<sup>12</sup>

The Kaweah Sub-basin is in the Tulare Lake Hydrologic Region and contains an area of approximately 446,000 acres (696 mi<sup>2</sup>) primarily in Tulare County with a small portion in Kings County. The Kaweah Sub-basin is bordered on the north by the Kings Sub-basin, on the south by the Tule Sub-basin, and on the west by the Tulare Lake Sub-basin, and on the east by crystalline bedrock of the Sierra Nevada foothills.<sup>13</sup>

The primary source of recharge to the area is the Kaweah River, with most of its flow originating from the Sierra Nevada Mountains, and percolation of applied irrigation water.<sup>14</sup> Natural recharge is estimated to be 62,400 acre-feet per year. Lakeside Irrigation District has recharged about 7,000 acre-feet per year and in wet years may recharge up to 30,000 acre-feet. It is estimated that approximately 286,000 acre-feet of applied water is recharged annually in the sub-basin. Annual urban and

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<sup>11</sup> California's Groundwater Bulletin 118, 1/20/06

<sup>12</sup> [http://www.swrcb.ca.gov/gama/docs/se\\_sanjoaquin\\_dsr351.pdf](http://www.swrcb.ca.gov/gama/docs/se_sanjoaquin_dsr351.pdf)

<sup>13</sup> California's Groundwater Bulletin 118, 1/20/06

<sup>14</sup> [http://www.swrcb.ca.gov/gama/docs/se\\_sanjoaquin\\_dsr351.pdf](http://www.swrcb.ca.gov/gama/docs/se_sanjoaquin_dsr351.pdf)

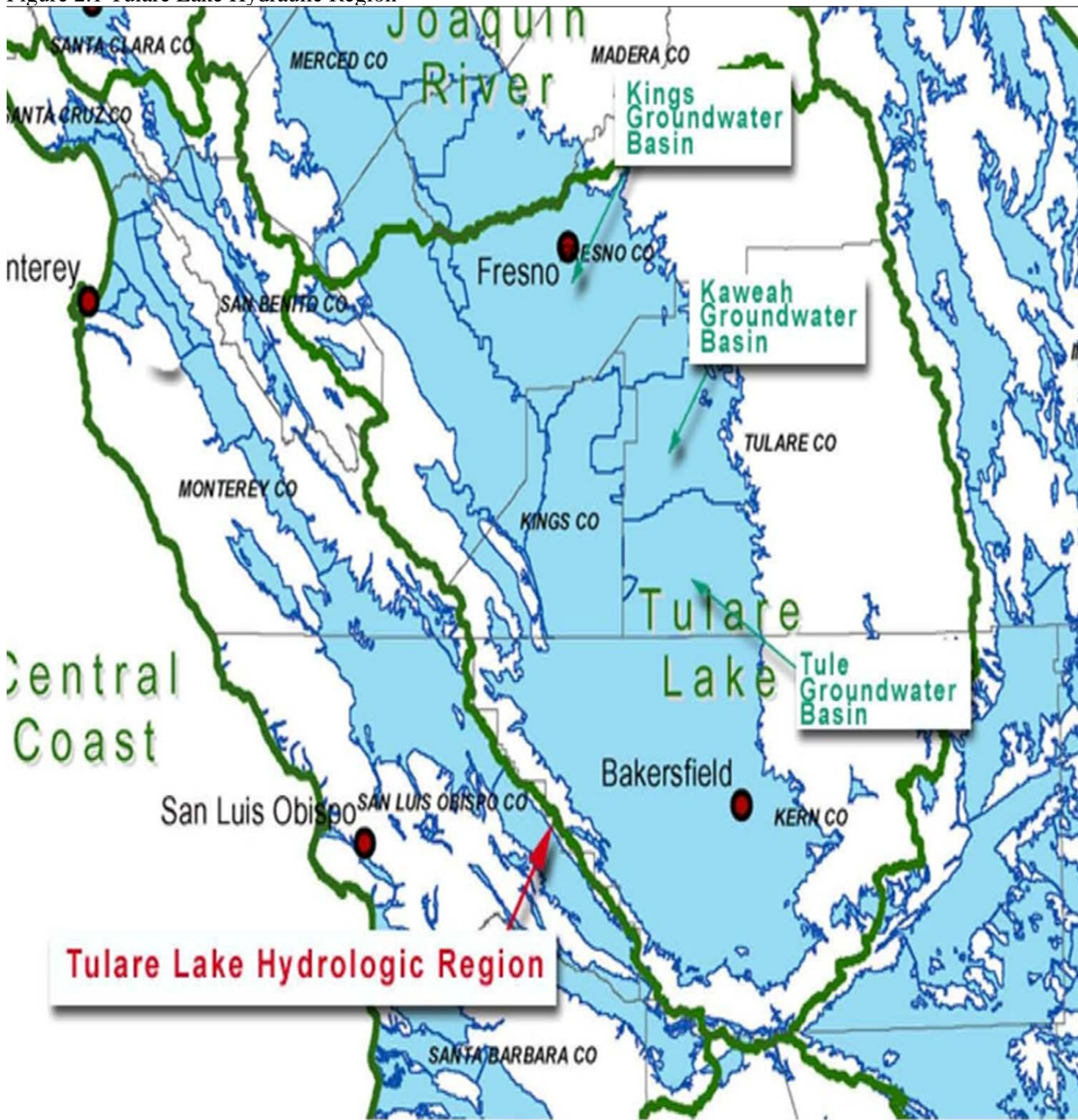
agricultural extraction is estimated to be 58,800 and 699,000 acre-feet, respectively (DWR 2003). Groundwater flow is generally southwestward. Subsurface outflow may occur to the west and south towards the Tulare Lake Sub-basin. DWR (2003) has not estimated the amount of inflow or outflow for the sub-basin.

Tulare's water supply source consists of a 30 domestic wells that are scattered throughout the City, extracting water from the City's underground aquifer. Newer wells drilled by the City over the past thirty-five years are gravel packed and have been drilled to approximately 700 feet. The older wells, and wells purchased by the City are generally around 350 feet deep. The City has one elevated water storage tank with a capacity of 150,000 gallons, and several hydro-pneumatic pressure tanks that are used for storage. The 2010 UWMP indicates the City produced 5,690 million gallons of water or 15.6 million gallons per day(mgd).

Increased extraction of groundwater from the Tulare Lake Hydrologic Region is occurring in response to the expanding urban and agricultural demands of the region. The City of Tulare plans for water system improvements through the implementation of a comprehensive Master Plan. The City of Tulare Water System Master Plan was last updated in 2009. The current Water System Master Plan has a planning area coterminous with the City's Urban Reserve Line, which lies within the City's UDB and SOI. When the City updates the Water System Master Plan, it is recommended that the planning boundary be extended, to encompass at a minimum, the City's SOI, to ensure that adequate water supply can be provided to accommodate future growth consistent with General Plan build-out. In addition to Master Planning, Specific Planning for large development areas also addresses infrastructure needs in more detail for specific planning areas.

The City estimates that the current system operates at approximately 90%-95% of its capacity during summer (maximum demand) months.

Figure 2.1 Tulare Lake Hydraulic Region

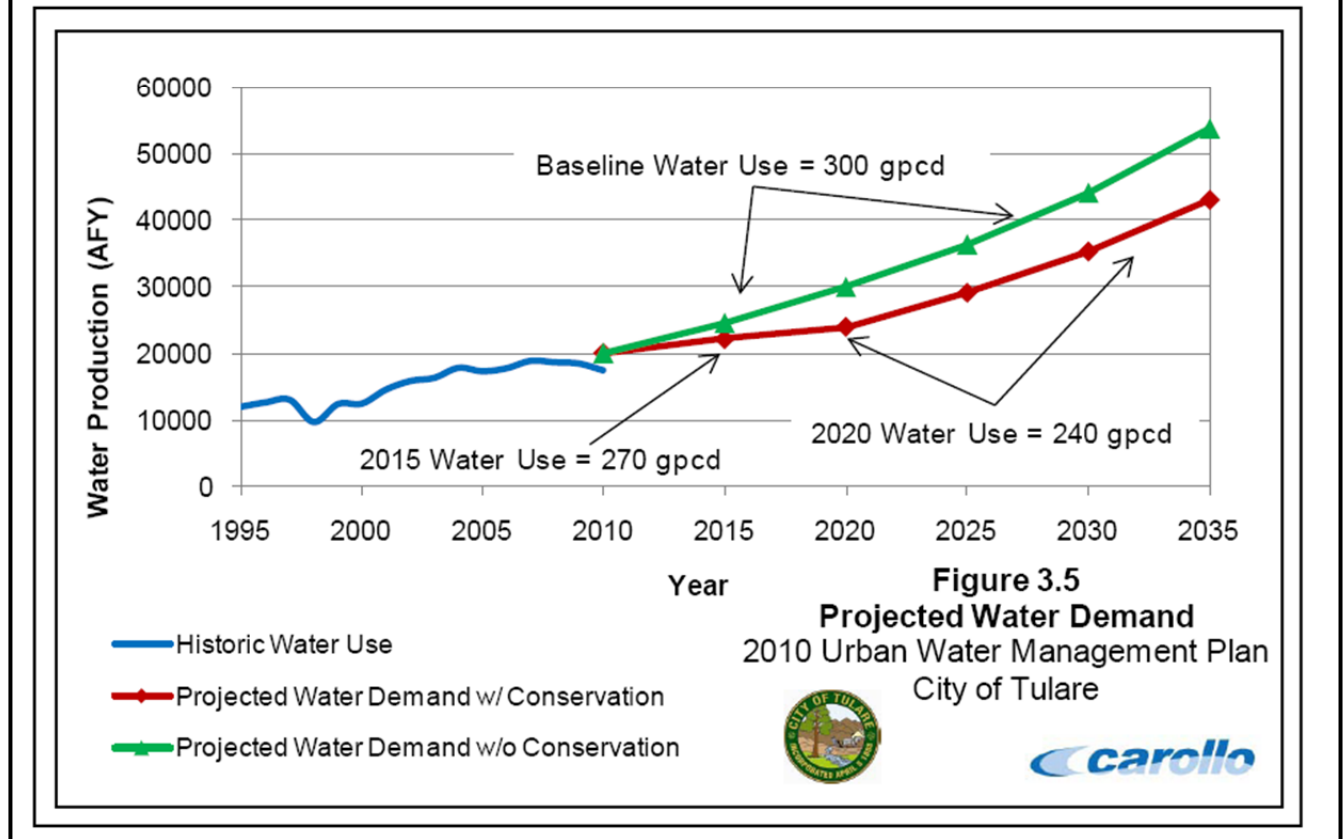


**Table 1.1: Projected Water Demands 2010 Urban Water Management Plan City of Tulare**

Year	Distribution System Population <sup>(1)</sup>	Projected Water Use (mgd)			
		w/ Conservation <sup>(2)</sup>		w/o Conservation <sup>(3)</sup>	
		(mgd)	(AFY)	(mgd)	(AFY)
2015	73,000	19.7	22,091	21.9	24,545
2020	89,000	21.4	23,940	26.7	29,925
2025	108,000	25.9	29,051	32.4	36,313
2030	130,975	31.5	35,231	39.3	44,038
2035	159,726	38.4	42,964	47.9	53,705

Notes:

1. Distribution system population projections were taken from the City's Water Master Plan.
2. Demand projections with conservation are based on the City's per capita interim and final water use targets for 2015 and 2020.
3. Demand projections without conservation are based on the City's selected 10-year baseline water use.



In fiscal year 2005-2006 per direction from the Board of Public Utilities, conversion of all connections to metered connections began. Since 2005 the City has installed water meters throughout the city except on municipal services and anticipates it will be fully metered by 2015. The City recently

implemented a program to improve existing water meters, install additional water meters, and automated meter readings systems were established for previously unmetered accounts. The intent of the improvements was to improve the accuracy of the water meters and enhance the City's ability to effectively complete water billing each billing cycle. The City recently installed 5,347 1-inch water meters to services that were not previously metered.

There are now 16,756 water meters in the city. While these meters do directly translate into energy or water consumption reductions, meters position the City to implement tiered water rates, a primary strategy for reducing water use. Tiered water rates were set by the City in January 2013 and were effective February 2013. These actions also position the City for compliance with state requirements through the Urban Water Management Plan.

The Urban Water Management Planning Act requires the Department of Water Resources to evaluate Urban Water Management Plans adopted by urban water suppliers pursuant to Section 10610.4 (c) and submitted to the Department no later than 30 days after adoption and updating once every five years, on or before December 31 in years ending in five and zero. Non-compliant urban water suppliers are ineligible to receive funding pursuant to Division 24 (commencing with section 78500) or Division 26 (commencing with section 79000), or receive drought assistance from the State until the UWMP is submitted pursuant to the Urban Water Management Planning Act. State funding for urban water improvements are often necessary to aid agencies in providing quality water service, especially during drought periods. The City completed its 2005 UWMP in 2007 and in 2011 completed the 2010 UWMP.

SB 610 and SB 220 amended state law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by Cities and Counties. SB 610 and SB 220 are companion measures which seek to promote more collaborative planning between local water suppliers and Cities and Counties. Both statutes require detailed information regarding water availability to be provided to the City and County decision-makers prior to approval of specified large development projects. Both statutes also require this detailed information be included in the administrative record that serves as the evidentiary basis for an approval action by the City or County on such projects. Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912) subject to the California Environmental Quality Act (CEQA). Under SB 220, approval by a City or County of certain residential subdivisions requires and affirmative written verification of sufficient water supply.

The Water Division is responsible for providing water that is of safe and sanitary quality for the citizens of Tulare and an adequate water supply for fire protection. The city's water system consists of 30 active wells, a 150,000 gallon water storage tower, 230 miles of water transmission and distribution mains, and 2,250 fire hydrants. Functions also include water quality compliance, water conservation, groundwater recharge, and maintenance and repair. The Water Division operates under the direction of the Board of Public Utilities. The quality of water is maintained through monitoring and proper maintenance of the system. State regulations require the City test the entire system, from wells to service connections, and that data is then reported to the State. The water service operates under the direction of the Board of Public Utilities.

The City's budget reflects continued efforts to anticipate and avoid any problems with the water utility, with many capital improvements included. The City maintains a balance in their enterprise water fund, which can be used to fund unforeseen immediate/emergency repairs and/or improvements to the water system. Minor repairs can generally be accomplished through funding already allocated towards maintenance and operation of the water system.

A major cost to the water operation is contained in Code 2061, which includes a payment to the Tulare Irrigation District (TID). The City's system benefits from the recharge of the aquifer as a result of the Tulare Irrigation District's operations. The City has an agreement to compensate the TID for such operations; the agreement was renewed in 2005 and extends through year 2035.

The City of Tulare has an enterprise water fund set up to estimate revenues and expenditures for the domestic water utility. The City's water fund generates revenue from the following major sources, including but not limited to:

- Interest Income
- Water Receipts
- Connection Fees
- Main Footage Fees
- Development Impact Fees

Table 2.1 summarizes the City's water fund projected revenues and expenditures for fiscal year 2012-13.

<b>Table 2.1</b> <b>Projected Revenues and Expenditures</b> <b>City of Tulare Water Fund Budget (F.Y. 2012-13)</b>	
<b>PROJECTED REVENUES</b>	
Beginning Fund Balance (July 1, 2012)	\$18,056,990
Use of Money and Property	\$38,000
Current Service Charges	\$5,719,200
Miscellaneous Revenues	\$483,210
<b>Total Available Resources</b>	<b>\$24,297,400</b>
<b>ESTIMATED EXPENDITURES</b>	
Salaries and Employee Benefits	\$1,307,130
Maintenance and Operation	\$4,134,780
Capital Improvements	\$362,500
Debt Service	\$886,000
Fund Transfer to Water CIP	\$500,000
<b>Total Estimated Expenditures</b>	<b>\$7,190,410</b>
<b>Anticipated Water Fund Balance (June 30, 2013)</b>	<b>\$17,106,990</b>

*Source: City of Tulare 2012-13 Adopted Budget*

As indicated in Table 2.1, for fiscal year 2012-13 the City's water fund expenditures exceed the projected revenues by over \$1,000,000. The City accounted for this imbalance by spending carryover funds from previous years. In addition to allocating funds towards capital improvements to occur out of the enterprise fund, a transfer of nearly \$500,000 was allocated to the City's capital improvement program for water.

The following capital improvements are listed as enterprise water fund expenditures:

- Miscellaneous Studies
- Meter Boxes and Lids



- Meter Repairs/Replacements
- Fire Hydrants
- Service Pipe and Fittings
- Main Valve Repairs/Replacements
- SCADA System Repairs
- Well Site/Equipment Upgrade
- Upgrade Electrical Panels

Based upon a review of the City's 2012-13 budget for domestic water, it appears that the service is being managed in a cost effective and efficient manner. Although, the City's water system is not yet fully metered, it is expected to be fully metered by 2015. A fully metered water system will help with water conservation, and minimize over usage and/or wasting of water.

The City maintains a balance in their enterprise water fund, which can be used to fund unforeseen immediate/emergency repairs and/or improvements to the water system. Minor repairs can generally be accomplished through funding already allocated towards maintenance and operation of the water system.

The City engaged Willdan Financial Services (Willdan) to perform a Water Rate Redesign study focused on two main principles. First is to develop rates that provide sufficient revenues to fund expenditures related to operations, maintenance, capital, and funding of reserves. And second, within the cost of service principles of Proposition 218, design water rates that promote efficient use of water and reflect the varying costs of demand to each customer class. This section of the report outlines the details of the analysis and the approach to developing the recommendations.

Willdan examined the previous four years of billing data provided by the City. Multiple years of data were analyzed to ensure short-term anomalies were accounted for and long-term trends captured. Furthermore, billing data was analyzed to determine seasonal demand patterns and overall consumption characteristics. As the projected volume of water consumption is a key component in revenue generation, it is critical that appropriate adjustments and trends are rationalized. Figure 2.2 provides a summary of the City's water consumption characteristics of approximately 16,500 accounts.



Table 2.2 Water Consumption Characteristics

Category Description	FYE 2012 Accounts	Average Month	Peak Month	Consumption FY 2011-12
Institutional	102	16,264	31,468	195,168
Commercial	998	47,933	74,274	575,197
Industrial	17	90,480	121,674	1,085,758
Multi-Residential	649	29,573	40,308	354,872
Single-Family Residential	14,713	230,118	371,216	2,761,414
<b>Total</b>	<b>16,479</b>	<b>414,367</b>	<b>638,940</b>	<b>4,972,409</b>

These records were analyzed and compiled by reviewing the City's billing records.

\*[http://www.ci.tulare.ca.us/pdfs/departments/public\\_works/Water%20Rate%20Analysis%20-%20Report%2010-19-2012.pdf](http://www.ci.tulare.ca.us/pdfs/departments/public_works/Water%20Rate%20Analysis%20-%20Report%2010-19-2012.pdf)

The existing rate structure is tiered. The structure is comprised of the following cost components.

**Meter Charge:** Charge is per month and is based on the size of water meter. This component of the water rate reflects the cost of metering support, customer service and maintaining the account.

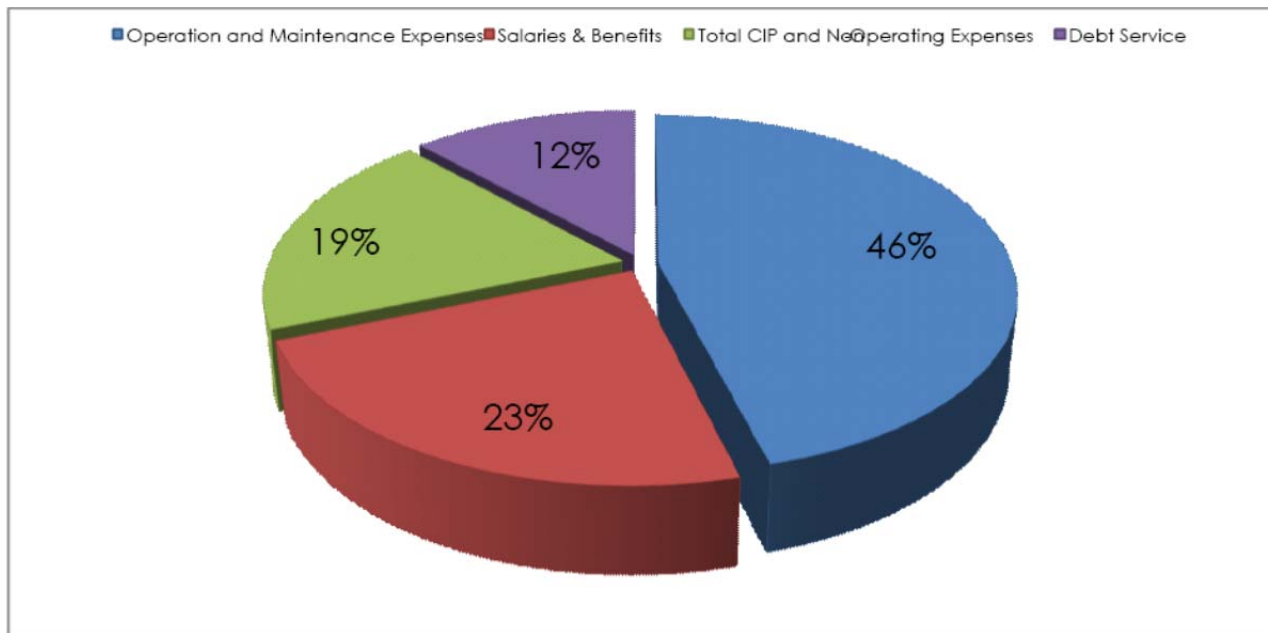
#### Commodity Charge:

Commodity Charge			Jan. 1, 2013	Jan. 1, 2014	Jan. 1, 2015	Jan. 1, 2016	Jan. 1, 2017
<b>Single-Family Residential (Tgal)</b>							
Tier 1	0 - 9	\$	0.376	\$ 0.436	\$ 0.503	\$ 0.547	\$ 0.564
Tier 2	9.01 - 30	\$	0.541	\$ 0.628	\$ 0.725	\$ 0.788	\$ 0.813
Tier 3	30.01 +	\$	1.083	\$ 1.255	\$ 1.449	\$ 1.577	\$ 1.625
<b>Institutional</b>							
Uniform			0.587	0.677	0.779	0.846	0.871
<b>Commercial</b>							
Uniform			0.503	0.581	0.668	0.725	0.747
<b>Industrial</b>							
Uniform			0.424	0.490	0.563	0.611	0.630
<b>Multi-Residential</b>							
Uniform			0.462	0.490	0.563	0.611	0.630
<b>Fixed Charge by Meter</b>							
			Jan. 1, 2013	Jan. 1, 2014	Jan. 1, 2015	Jan. 1, 2016	Jan. 1, 2017
	<b>3/4"</b>		9.39	10.84	12.46	13.53	13.94
	<b>1"</b>		11.54	13.33	15.32	16.64	17.14
	<b>1.5"</b>		16.93	19.55	22.48	24.41	25.14
	<b>2"</b>		23.39	27.01	31.06	33.72	34.74
	<b>3"</b>		38.47	44.42	51.09	55.47	57.13
	<b>4"</b>		60.02	69.30	79.69	86.53	89.13
	<b>6"</b>		113.88	131.49	151.21	164.19	169.11
	<b>8"</b>		178.51	206.12	237.04	257.38	265.10
	<b>10"</b>		253.92	293.19	337.17	366.10	377.08

In 2012, the City produced 6,001 million gallons or 18,418 acre-feet (AF), which is equivalent to 16.4 million gallons per day (mgd) of water servicing a population of approximately 60,627. The average single-family residential customer has a monthly usage of 16 thousand gallons (Tgal). The City estimates that the current

system operates at approximately 90%-95% of its capacity during summer (maximum demand) months.<sup>15</sup>

Figure 2.2 Water Fund - Cost Distribution by Expenditure Classification



\*[http://www.ci.tulare.ca.us/pdfs/departments/public\\_works/Water%20Rate%20Analysis%20-%20Report%2010-19-2012.pdf](http://www.ci.tulare.ca.us/pdfs/departments/public_works/Water%20Rate%20Analysis%20-%20Report%2010-19-2012.pdf)

As indicated in the original Municipal Service Review, there is no evidence suggesting that the City cannot continue to provide efficient water service to existing residents of Tulare. In addition, with continued ground water conservation efforts and infrastructure improvements it is likely that it could provide efficient water service to future residents.

As indicated in the 2010 City of Tulare UWMP, the City recognizes the importance of maintaining a high quality, reliable water supply. The City recognizes that although water is a renewable resource, there is a limit on the amount of water that can be removed from a given supply source (e.g., groundwater basins, surface water sources). Due in part to the City's location in the Central Valley and proximity to other available supply sources, ground water is expected to continue to be the primary source of water through 2035.

The City monitors its water system in compliance with both EPA standards and Title 22 regulations to ensure that only the most pristine and suitable water is delivered to its customers. Potential contaminants that are routinely monitored by the City include: microbial contaminants, inorganic contaminants, pesticides and herbicides, organic chemical contaminants, radioactive contaminants. Primary and secondary maximum contaminant levels (MCLs) are the highest level of a substance allowed in drinking water, and are established by Federal and State regulatory agencies. According to the City's Annual Water Quality Reports, regulated substances detected in the City's drinking water have had concentrations below the MCLs since 2000 (the earliest available reporting year), with the exception of total coliform in 2001. No fecal coliform bacteria were detected and all repeat and

<sup>15</sup> [Water Rate Analysis - Report 12-20-2012](#)

subsequent sampling yielded negative results. Figure 2.3 presents a summary of sampling results for 2011

According to the 2010 UWMP, the drinking water standard for arsenic was reduced from 50 micrograms per liter ( $\mu\text{g/L}$ ) to 10  $\mu\text{g/L}$ , effective January 23, 2006. The City water supply currently meets the arsenic MCL of 10  $\mu\text{g/L}$ . DHS is required to set a constituent's MCL at a level as close as practicable to its public health goal (PHG). The PHG for arsenic is currently 0.004  $\mu\text{g/L}$  (EPA, 2004). If the arsenic MCL is reduced to close to the PHG limit, arsenic could potentially be a future water quality concern for the City. As there are no immediate plans to further reduce the arsenic drinking water limitation, arsenic does not pose a threat to the City groundwater supply.

Water quality influences the City's water management strategies and its efforts to comply with federal and State drinking water regulations. These regulations require rigorous water quality testing, source assessments, and treatment compliance. No other special water management strategies due to water quality effects are necessary. It is anticipated that the City will continue to depend on groundwater as a reliable water supply. Water supply changes due to water quality are not expected.

The City's water supplies are periodically chlorinated to provide a disinfectant residual that is required by federal and state regulations and helps maintain a safe drinking water supply throughout the distribution system. This treatment process has proven sufficient to meet federal and state primary and secondary drinking water regulations. Hence, the quality of groundwater is not considered an impediment to water supply reliability at this time.

When evaluating any proposed SOI updates, LAFCO should consider which agency can most efficiently provide water service to the subject area and ensure that adequate planning has taken place for the provision of public services.

Figure 2.3 Sampling Results

REGULATED SUBSTANCES								
SUBSTANCE (UNIT OF MEASURE)	YEAR SAMPLED	MCL (MRDL)	PHG (MCLG) (MRDLG)	AMOUNT DETECTED	RANGE LOW-HIGH	VIOLATION	TYPICAL SOURCE	HEALTH EFFECTS
Aluminum (ppb)	2009– 2011	1,000	0.6	154.5	ND–370	No	Erosion of natural deposits; residue from some surface water treatment processes	Some people who drink water containing aluminum in excess of the MCL over many years may experience short-term gastrointestinal tract effects.
Arsenic <sup>1</sup> (ppb)	2009– 2011	10	0.004	5.4	ND–9.4	No	Erosion of natural deposits; runoff from orchards; glass and electronics production wastes	Some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk of getting cancer.
Barium (ppb)	2009– 2011	1,000	2	55	ND–420	No	Discharges of oil drilling wastes and from metal refineries; erosion of natural deposits	Some people who drink water containing barium in excess of the MCL over many years may experience an increase in blood pressure.
Dibromochloropropane [DBCP] (ppt)	2009– 2011	200	1.7	0.041	ND–0.074	No	Banned nematocide that may still be present in soils due to runoff/leaching from former use on soybeans, cotton, vineyards, tomatoes, and tree fruit	Some people who use water containing DBCP in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.
Fluoride (ppm)	2009– 2011	2.0	1	0.19	ND–1.1	No	Erosion of natural deposits; water additive that promotes strong teeth; discharge from fertilizer and aluminum factories	Some people who drink water containing fluoride in excess of the federal MCL of 4 mg/L over many years may get bone disease, including pain and tenderness of the bones. Children who drink water containing fluoride in excess of the state MCL of 2 mg/L may get mottled teeth.
Gross Alpha Particle Activity (pCi/L)	2009– 2011	15	(0)	4.27	ND–5.6	No	Erosion of natural deposits	Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.
Nitrate [as nitrate] (ppm)	2009– 2011	45	45	16.8	ND–38	No	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural deposits	Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.
Radium 228 (pCi/L)	2009– 2011	5	0.019	1.13	1.01–1.30	No	Erosion of natural deposits	Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
TTHMs [Total Trihalomethanes] (ppb)	2009– 2011	80	NA	1.65	ND–1.9	No	By-product of drinking water disinfection	Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience liver, kidney, or central nervous system problems, and may have an increased risk of getting cancer.
Total Coliform Bacteria [Total Coliform Rule] (% positive samples)	2009– 2011	More than 5.0% of monthly samples are positive	(0)	1.1%	NA	No	Naturally present in the environment	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Uranium (pCi/L)	2009– 2011	20	0.43	3.8	ND–6.1	No	Erosion of natural deposits	Some people who drink water containing uranium in excess of the MCL over many years may have kidney problems or an increased risk of getting cancer.

Source: City of Tulare 2011 Water Quality Report

## 2.2 Wastewater Collection, Treatment, and Disposal

The City of Tulare plans for sanitary sewer system improvements through the implementation of a comprehensive Master Plan. The City of Tulare Sewer System Master Plan was last updated in July 2009 by Carollo Engineering. The current Sewer System Master Plan has a planning area which generally extends beyond the City's current SOI, except for areas in the southeastern and eastern areas within the City's SOI. When the City updates the Sewer System Master Plan, it is recommended that the planning boundary be extended, at a minimum, to encompass the City's SOI, to ensure that adequate sanitary sewer infrastructure can be provided to accommodate future growth consistent with General Plan build-out. The Sewer System Master Plan is framed to accommodate a population of 115,000 by the year 2020.

The City of Tulare wastewater collection system consists of a series of pipes and lift stations that transport raw sewage to the City's wastewater treatment facility (WWTF) located southwest Tulare. The City's WWTF includes two separate wastewater treatment trains (WWTTs), one for domestic wastes, and the other for primarily industrial wastes, described as follows. All of the City's wastewater is considered un-disinfected secondary-treated water, and does not meet California Code of Regulations Title 22 (Title 22) requirements for disinfected secondary or tertiary-treated water.

The expanded domestic WWTT is a 6.0 MGD capacity activated sludge plant that includes headworks with mechanical screens and an aerated grit chamber, primary and secondary sedimentation, biofiltration, activated sludge units, sludge thickening and digestion, and sludge drying. The secondary treatment plant's goal is to remove organic and solid materials and the nitrogen in the wastewater that can pollute the environment. The facility was built in 1920. Several major improvements have been made in the past 30 years to help handle these needs. The recent expansion in 2006 added an anoxic basin to help in the removal of nitrogen to meet the City's total nitrogen requirements.

The industrial WWTT influent arrives via two separate pipelines that terminate into one headworks that feature a bar screen and grease and grit removal. An expansion of the plant was completed in 2009 and increased the plant's capacity from 6.7 million gallons per day (mgd) to 12 mgd. The expansion added several units to the treatment process to improve efficiency and process reliability and modified the existing aerated lagoons that are used in the process. The project included modifying the existing aerated lagoons to provide equalization and biological treatment, and adding a dissolved air flotation (DAF) to remove fats, oils and grease; six sequencing batch reactors (SBRs) to remove organics, and denitrification filters to remove residual nitrate or nitrogen. The plant is one of the largest SBR operating wastewater treatment facilities in the nation and will continue to provide quality recycled water to the community.<sup>16</sup>

The City operates the WWTF under the provisions specified in *Waste Discharge Requirements (WDR) Order No. R5-2002-0186* issued by the California Regional Water Quality Control Board Central Valley Region. A draft Waste Discharge Requirements Order is out for public review and comment, and issued in April 2013. Domestic and industrial discharges are combined in an aerated mixing box and discharged to approximately 200 acres of ponds for disposal by evaporation and percolation. A portion of the effluent discharged to ponds is recycled on 2,700 acres of nearby farmland, 800 acres of which is owned by the City. Water in the Tulare Lake Basin is in short supply, requiring importation of surface waters from other parts of the State. The Basin Plan encourages reclamation on irrigated crops wherever feasible and indicates that discharges to surface water and

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<sup>16</sup> [http://www.ci.tulare.ca.us/pdfs/departments/public\\_works/Industrial\\_Plant\\_Characteristics.pdf](http://www.ci.tulare.ca.us/pdfs/departments/public_works/Industrial_Plant_Characteristics.pdf)

evaporation of reclaimable wastewater will not be acceptable permanent disposal methods where the opportunity exists to replace an existing use or proposed use of fresh water with recycled water. Where appropriate, the Basin Plan allows a timetable for implementing reclamation. The City's discharge constitutes a significant source of agricultural supply water and groundwater recharge.

Self-monitoring reports are required to be submitted by the Discharger to the RWQCB on a monthly basis, and contain information pertaining to flow records, construction activity, permit compliance, etc. Self-monitoring reports from March 1998 through January 2002 indicate that winter flows to the domestic WWTT are not significantly higher than summer flows, indicating that inflow and infiltration in general are not a serious problem for the domestic WWTT.

Based upon information contained in the *Wastewater User Charge Survey Report FY 2007-2008* (Cal EPA – State Water Resources Control Board, May 2008), the average dry weather flow at the WWTF (combined flow for both treatment trains) is approximately 11.3 MGD. Recorded flows indicate that the WWTF is currently operating near its permitted capacity for the domestic WWTT. However, ongoing efforts to improve the plant's capacity and efficiency are expected to increase available capacity to serve future growth. Beyond the expansion project currently under construction at the plant, it is likely that additional capacity improvements will need to occur to meet the 20-year growth needs of the City.

The City's budget reflects continued efforts to anticipate and avoid any problems with the sewer/wastewater utilities, with many capital improvements included. The City of Tulare has an enterprise fund for sewer/wastewater set up to estimate revenues and expenditures for the sewer/wastewater utilities. The City's sewer/wastewater fund generates revenue from the following major sources, including but not limited to:

- Interest Income
- Rents and Concessions
- Connection Fees
- Sewer Receipts
- Septic Tank Discharge Fees
- Main Footage Fees
- Development Impact Fees
- Loan Proceeds

Table 2.3 summarizes the City's sewer/wastewater fund projected revenues and expenditures for fiscal year 2012-13.

<b>Table 2-3</b> <b>Projected Revenues and Expenditures</b> <b>City of Tulare Sewer/Wastewater Fund Budget (F.Y. 2012-13)</b>	
<b>PROJECTED REVENUES</b>	
Beginning Fund Balance (July 1, 2005)	\$44,630,310
Use of Money and Property	\$225,000
Current Service Charges	\$22,760,150
Miscellaneous Revenues	\$1,702,480
<b>Total Available Resources</b>	<b>\$24,687,630</b>
<b>ESTIMATED EXPENDITURES</b>	
Salaries and Employee Benefits	\$2,242,550
Maintenance and Operation	\$10,073,770
Capital Improvements	\$453,140
Capital Outlay	\$333,000
Debt Service	\$11,868,190
Fund Transfer to Sewer/Wastewater CIP	\$1,000,000
<b>Total Estimated Expenditures</b>	<b>\$25,970,650</b>
<b>Anticipated Wastewater Fund Balance (June 30, 2006)</b>	<b>\$43,347,290</b>

*Source: City of Tulare 2012-13 Adopted Budget*

As indicated in Table 2-3, for fiscal year 2012-13 the City's sewer/wastewater fund expenditures exceed the projected revenues (excluding carryover balance and bond proceeds). The City accounted for this imbalance by spending carryover funds from previous years, and using sewer bonds proceeds. In addition to allocating funds towards capital improvements to occur out of the enterprise fund, a transfer of \$1,000,000 was allocated to the City's capital improvement program for sewer/wastewater. The following capital improvements are listed as enterprise sewer/wastewater funds expenditures.

- Manholes/Rehabilitation (\$60,000)
- Miscellaneous Lift Station Improvements (\$35,000)
- SCADA Installation (\$37,000)
- Lift Station Control Panel (\$121,140)

In addition to the above improvements, approximately \$1,000,000 was allocated towards the City's

capital improvement program for sewer/wastewater, which for fiscal year 2012-13, identifies the following sewer system and wastewater treatment system improvements.

- Oversize participation
- Pipeline Replacement
- Main Extensions to Annexed Islands
- WWTP Capital Maintenance
- BVF Cover Replacement
- Solar Project Phase II
- Advanced Energy Storage
- Westside Trunk Line
- Various Equipment Replacement
- Storm/Sewer Installation

Based upon a review of the City's budget for sewer/wastewater, the service is being managed in a cost effective and efficient manner. The City's effort to keep sanitary sewer rates in check is evident by the City's issuance of sewer bonds to construct capital improvements to the WWTF. The City is meeting the long term debt obligations of bond issuances. As more connections to the City's sewer system are installed, additional revenue will be generated to assist with the repayment of long term debt.



## 2.3 Drainage Infrastructure

The Storm Water Management Plan outlines and directs the City's storm water related priorities and activates for the years 2009 through 2013. It provides a comprehensive five year plan to enhance and protect storm water quality in the City. It also incorporates measurable goals, control measures and public programs to minimize the amount of pollutants discharged through the storm water system. The following is a summary of the 2009 Storm Water Management Plan.

### 2009 Storm Water Management Plan

Chapter 1 – Introduction. This section provides the origin of the SWMP, an introductory outline, a geographical setting, and a brief summary of City of Tulare's Storm Water Management Action Plan.

Chapter 2 – Program Requirements. This section provides the regulatory context and requirements of the SWMP as part of the State's Phase II NPDES General Permit, a brief summary of the existing storm water system, and a preliminary timeline for submittal, adoption, and implementation of the SWMP and NPDES Phase II Permit.

Chapter 3 – SWMP Minimum Control Measures and Best Management Practices (BMP). This section defines each minimum control measure as a tool in directing and implementing a functional SWMP. To attain the measurable goals, BMPs have been designed in combination with each MCM. (See Appendix A)

Chapter 4 – MCM-1 Public Education and Outreach The goal of the Public Education and Outreach element is to generate awareness of storm water pollution prevention by educating the general public about the storm drain system and its relationship to the health of local waterways. It is through educational awareness that the City aims to change behavior patterns and establish active participation in water pollution prevention.

Chapter 5 – MCM-2 Public Involvement and Participation The goal of the Public Involvement and Participation program control measure is to raise public awareness about storm water pollution and protection through public involvement in the development meetings, review, and implementation activities of the Storm Water Management Program.

Chapter 6 – MCM-3 Illicit Discharge Detection and Elimination The goal of the illicit discharge detection and elimination program is designed to prevent contamination of ground and surface water by identifying and addressing sources of illegal non-storm water discharges.

Chapter 7 – MCM-4 Construction Site Runoff Controls The goal of the construction site runoff controls program is to establish ordinances specific to construction storm water runoff to compliment storm water regulations currently in place

Chapter 8 – MCM-5 Post-Construction Runoff Controls (Site Planning) The goal of the post-construction runoff controls program is to minimize pollutants resulting from post construction activities through advanced planning and design.

Chapter 9 – MCM-6 Pollution Prevention and Good Housekeeping The goal of the pollution prevention and good housekeeping program is to evaluate current operation and maintenance activities of the City for ways to reduce risk of negative water quality impacts.

The City of Tulare plans for storm drainage system improvements through the implementation of a comprehensive Master Plan. This Division provides maintenance, operation and expansion of the storm drainage system. All budgeted funds come from the general fund and, where appropriate, gas tax expenditures where storm drainage installations are in connection with major street projects. The majority of the storm water in the city is collected and pumped into the Tulare Irrigation District canal system under provisions of an agreement renewed in 2005. Storm water also flows into park/ponding basins and storm drainage retention basins. The city is subject to the Federal Phase II Storm Water NPDES permit requirements.

The Storm Drainage Division source of revenue is the general fund. Past improvements to the City's storm drain system have significantly reduced flooding problems. Many capital improvement needs go unfunded as the City seeks grant funding, including the need to complete separation of the City system with other systems. Oversize payments are required as a result of a ten year analysis of obligations, and large payments are due for coming fiscal years.

The City assesses development impact fees for storm drain consistent with City Resolution Number 11-18a. For single family dwellings, the storm drain impact fees \$1,438 per dwelling.

The City will need to continually expand and improve its storm drain system to keep pace with development demands. It is recommended that the City continue to expand and improve the storm drain system through revenues generated from development impact fees and general fund appropriations. As the City's storm drain system continues to expand, the City will likely need to add staff to operate and maintain the system.

## **2.4 Streets and Roads**

The City plans for roadway transportation improvements through the implementation of General Plan Circulation Element Goals and Policies and Specific Planning. The streets, roads, and circulation patterns in the City of Tulare was studied as a part of the General Plan Circulation Element, which was adopted by the City Council in 2008 but due to successful litigation the General Plan is being re-released. This information base provides an excellent foundation for evaluating the transportation issues in the City.

Every four years, at a minimum TCAG prepares a Regional Transportation Plan (RTP), which includes coordination efforts with all eight incorporated cities within Tulare County. The RTP involves inter-jurisdictional coordination to help resolve inter-related transportation issues that affect multiple agencies. Routes of regional significance that serve the City include State Route 99, State Route 137, State Route 63 (Mooney Boulevard), Paige Avenue, Laspina Street, K Street/Business 99, Prosperity Avenue, Hillman Street and West Street.

The City has a Streets Division which is responsible for the maintenance and repair of all City streets, alleys, storm water inlets, City parking lots, street lights and signs. The primary tasks of the Street Division include maintenance and repair of traffic signals, installation of pavement markings, pavement repairs, and maintenance of storm drain ponding basins. The Streets Division budget includes energy charges for the operation of street lighting and traffic signals.

For the fiscal year 2012-13 budget cycle \$2,405,490 was allocated to the Streets Division from the general fund. Estimated expenditures totaling \$2,405,490 include salaries and employee benefits totaling \$676,060 maintenance and operation totaling \$1,433,430 capital improvements/outlay totaling \$146,000 debt service totaling \$50,000, a \$100,000 operating transfer to Streets CIP. Capital

improvements/outlay funded through general fund appropriations (\$100,000) includes allocations for defective concrete program alley repairs/maintenance , LED “Don’t Walk”, traffic loops, , Battery back-up system, Street light ballards and Traffic Signal Controllers. Debt service includes principal and interest payments for oversize liability.

The City continues to make steady progress towards upgrading and expanding its roadway infrastructure. The City continues to work towards improving the infrastructure that serves its citizens and has a detailed plan for constructing the needed improvements. The City’s approach and plan for completing capital improvements is excellent, and in line with the needs of the community.

## 2.5 Fire and Police Protection Services

### FIRE

The primary objective of the Fire Department is to protect the lives and property of the citizens of and visitors to Tulare from the ravages of fire, exposure to hazardous materials and other perils, including disaster preparedness. The department is responsible for enforcing local fire ordinances, state and federal laws, apprehending violators and assisting in their prosecution.

The Tulare Fire Department currently has 36.51 positions; 1 Fire Chief, 3 Division Chiefs, 0.51 Fire Investigations, 9 Fire Captains, 10 Fire Engineers, 7 Fire Fighter Paramedics, 3 Fire Fighter Paramedics (unfunded), 1 Fire Inspector III, 1 Fire Inspector II, 1 Fire Inspector I 3 fire stations, 5 fire engines, and one aerial ladder truck (Table 2.4). Standards included in the Tulare Fire Department’s Master Plan call for 0.86 fire fighters per 1,000 residents, 0.08 fire stations per 1,000 residents, 0.086 fire engines per 1,000 residents, and 0.086 aerial ladders per 1,000 residents. Based on the performance standards listed in the Master Plan and the City’s current population, the Fire Department should have 48 fire fighters, 4 fire stations, 5 fire engines, and 5 aerial ladders. The department currently has 22 fire fighters including 1 Fire Chief, 3 division Chiefs, 9 Captains, and 10 Fire Fighter Paramedics. The result is the Tulare Fire Department has a deficit of 26 fire fighters, 1 fire station, and 4 aerial ladders when compared to the City standard.<sup>17</sup>

The City and Tulare County have a mutual aid agreement to provide emergency services if the primary respondent is not available or additional support is needed.

Table 2.4  
Tulare Fire Department

Station	Equipment	Personnel
<b>Station 61: Headquarters 800 S. Blackstone St. in the southeast side of Tulare</b>	2000 E-ONE 75HP Ladder Truck	The Suppression Division includes all uniformed personnel who respond to mitigate the emergency nature of the incident.
<b>Station 62 138 N “E” St. servicing Tulare’s “Westside”,</b>	2005 E-ONE Engine and 1986 Pierce Suburban Reserve Brush Engine	1-Captain, 1-Engineer, and 1 Firefighter/Paramedic

<sup>17</sup> City of Tulare: 2008 Fire Protection and Emergency Services Master Plan

<b>Station 632900 N. “M” St., servicing Tulare’s northeast side.</b>	2003 E-ONE Engine and 1996 Central States HME reserve engine	1-Captain, 1-Engineer and 1-Firefighter/Paramedic. This station also houses the on-duty Battalion Chief
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The City of Tulare Fire Department is divided into two divisions, suppression and prevention. The Fire Suppression Division includes all uniformed personnel who respond to emergency incidents with appropriate apparatus and perform activities required to mitigate the emergency nature of the incident. Duties of the Fire Suppression Division include extinguishing of fires, identification and containment of hazardous materials, paramedic advanced life support non-transport first responder emergency medical service, performance of special rescue operations, and engine company fire prevention inspections. The Fire Prevention Division provides safety inspections of existing buildings open to the public, performs plan review for safety compliance of all new commercial, industrial and multi-occupancy structures, investigates fires for origin and cause determination, and assists with the prosecution of arson caused fires.

Special activities of the fire department include the conduct of safety education programs for all ages with a Fire Safety House Prop, fire station tours, smoke detector installation, abandoned vehicle removal, annual weed abatement program, and bicycle licensing.

An important part of the City’s budget process includes the City Council adopting City Goals in annually in April. These goal high priority issues, concerns and needs of the community. The City’s budget is the primary tool for implementing these goals and policies by allocating resources necessary to do so. Goals include remodel of station #61 and #62 and continue with transition to TCCAD dispatch. Ongoing goals include bring the staffing level of the fire departments up to the levels previously approved by the City Council and recommended by the Fire and Emergency Services Master Plan and Standard of Coverage documents approved by the City Council, and replacement of Truck-61 2000 E one Ladder Truck.<sup>18</sup>

Fiscal analysis and planning are important aspects of the emergency services evaluation. The City uses a one-year budget cycle to prepare its annual operating budget and capital improvement plan. Budget approval and administration are under the authority of the City Council. The development of that budget involves input from all levels of the fire department. The fire chief prepares the final budget document for submittal to the city manager. A public hearing provides citizens the opportunity to participate in the budgetary process. Citizens are encouraged to participate in the budgetary process<sup>19</sup>.

The City assesses development impact fees for fire facilities, equipment, and training consistent with City Resolution Number 03-4988. For single family dwellings, the fire impact fee has been established at \$134 per dwelling.

Locally funded by impact fees on new development, the City, in July 2004, opened its third fire station, on North M Street. It is the City’s first new station in more than two decades, and represents a 50% increase in department capabilities to respond rapidly to emergencies.

The City’s fire department is funded through general fund appropriations. Approximately 16% of the

<sup>18</sup> City of Tulare fiscal year 2010-2011 Budget

<sup>19</sup> City of Tulare: 2008 Fire Protection and Emergency Services Master Plan

City's general fund expenditures go towards the operation of the fire department. For the fiscal year 2012-13 budget cycle \$4,940,770 was allocated to the Fire Division from the general fund. Estimated expenditures include salaries and employee benefits totaling \$5,092,340 maintenance and operation totaling \$808,680 capital outlay totaling \$39,750.

Table 2.5

**CITY OF TULARE FIRE DEPARTMENT**

Prevention/Training/Investigation/Code Enforcement Recap

<b>PREVENTION INSPECTIONS</b>	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Engine Company Inspections														1080	810
Commercial	448	275	219	303	632	514	556	410	776	956	1080	1210	504	218	189
Public Assembly	85	68	29	60	110	48	44	26	28	30	33	34	9	16	20
Schools	52	37	19	26	41	21	9	3	2	2	2	3	7	3	7
Hospitals	6	10	10	1	0	1	1	2	2	2	2	2	1	5	2
Day Care Homes	60	41	24	13	24	28	30	24	21	19	16	15	10	13	4
Residential Home Business	108	116	78	0	0	10	0	0	0	0	0	0	0	0	0
Hotels/Motels/ Apartments	75	29	25	98	35	14	12	3	5	5	5	6	12	2	1
Industrial	83	83	79	9	26	33	38	23	30	28	18	21	17	1	1
Fire Alarm/Suppression Systems	54	67	48	39	64	77	29	16	27	36	38	42	145	156	125
<i>Total Inspections</i>	<b>971</b>	<b>726</b>	<b>531</b>	<b>549</b>	<b>932</b>	<b>746</b>	<b>719</b>	<b>586</b>	<b>891</b>	<b>1078</b>	<b>1194</b>	<b>1333</b>	<b>705</b>	<b>1494</b>	<b>1159</b>
Plan & Parcel Checks	71	80	68	106	99	104	90	79	88	136	152	168	281	120	148
<b>TRAINING</b>															
Suppression Training Hours	3,335	3,284	798	1,958	3,405	3,918	4,026	4,426	N/A	N/A	N/A	17,626	15,535	14,252	15,288
<b>INVESTIGATIONS</b>															
Fires	24	19	53	29	29	413	373	391	318	321	318	70	309	288	264
Investigated														37	44
Cleared by Arrest	3	6	3	5	3	0	1	3	0	0	0	4	6	5	7
Continuing	11	0	20	16	0	66	8	2	2	2	3	22	4	2	2
Bomb Threats	11	10	5	1	0	1	13	11	5	2	5	1	2	3	2
Juveniles Counseled	N/A	N/A	N/A	N/A	15	12	6	4	3	4	6	0	6	5	0
<b>CODE ENFORCEMENT/ANIMAL CONTROL (Merged w/ Fire Dept. in 2003)</b>															
Complaints Received	N/A	N/A	355	145	219	210	180	192	1573	2511	3239	5967	10,355	9,011	7797
Vehicles Abated	102	146	143	90	43	85	78	60	517	726	839	870	625	407	445
Notice of Violations Issued													1070	1209	1187
Administrative Citations Issued													384	348	326
CEO Training Hours														276	468

T: End of Year Stats 2009/Total Recap 1995 to 2009

## **POLICE**

The mission of the Tulare Police Department is to provide for its citizens the safest and most secure community as possible; to be a strong and effective organization through open communications, teamwork, mutual respect, and a partnership with the community; willing to pioneer innovative approaches to law enforcement, while at the same time promoting a high degree of professionalism and respect for human dignity.

### **Description of Responsibilities and Services:**

The Police Department is comprised of three very distinct divisions that work collectively for the safety of the community and the City's many visitors throughout the year. The three divisions; Patrol, Investigations and Administration, are comprised of individual units that are trained and equipped to handle calls for service and investigations ranging from the minor to the very complex.

The City's police department is funded through general fund appropriations. Approximately 33% of the City's general fund expenditures go towards the operations of the police department. For the fiscal year 2012-13 budget cycle \$11,918.180 was allocated to the Police Division from the general fund. Estimated expenditures totaling \$11,918.180 includes salaries and employee benefits totaling \$10,308.218 maintenance and operation totaling \$1,194.970 and no capital outlay.

The Tulare Police Department operates out of one main facility located at 260 South M Street. The Tulare Police Department currently has 78 sworn officers, 27 non-sworn, 84 vehicles, 7 motorcycles and a 16,700-SF police station. At current staffing levels, the city has approximately 1.3 sworn police officers per 1,000 people.

## **PATROL DIVISION**

The Patrol Division is managed by a captain and has four lieutenants serving as watch commanders for each patrol shift. Each patrol shift also has a sergeant assigned as a field supervisor. The primary function of the patrol division is to provide an immediate response to calls for service as well as manage traffic and crowd control at special events.

### **Traffic Safety**

The Traffic Safety Team, a unit within the patrol division, is responsible for enforcing traffic laws in our city. The team consists of four motor officers, a community service officer and supervised by a sergeant. The primary goal of the Traffic Safety Team is to reduce injuries associated with traffic collisions and driving under the influence. The Traffic Safety Team investigates major collisions, conducts follow-up investigations on hit and run collisions, and provides public education when requested. The Tulare Police Department is also a partner in the Avoid the 18 grant, which targets drunk drivers.

### **Special Weapons and Tactics**

The department's Special Weapons and Tactics Team is also a component of the patrol division and is available to execute high-risk warrants and respond to critical incidents involving weapons and/or dangerous persons. The team commander is a lieutenant who is assisted by two tactical team sergeants and one sniper team sergeant.

## **INVESTIGATIONS DIVISION**

The Investigations Division is managed by a captain and two sergeants. The primary Investigations Division is separated into two smaller units (General Investigation and Crime Specific). The Tulare Police Department's evidence/property room falls under the responsibility of the Investigations Division as well. The General Investigations team investigates property crimes, sex crimes, crimes involving fraud, missing person's cases and crimes against persons to include violent crimes such as robbery and homicide.

### **Narcotics**

The Narcotics Team is a specially trained group of three plain-clothes detectives who are committed to eradicating illegal drugs and their use in the community. This team utilizes their expertise and specialized surveillance equipment and techniques to locate and seize illicit drugs in the community. This team also serves as a resource for the patrol division when their skills are needed. The Narcotic Investigation Team is supervised by a sergeant who also supervises the Gang Unit.

### **Gangs**

The Gang Unit is comprised of three uniformed detectives and a K9 that is cross-trained in both protection and drug detection. This unit focuses on gang-related activity in the city and assists in the investigations of crimes involving gangs. The officers assigned to this team receive special training in their area of expertise and are considered expert witnesses when testifying in court.

In this past year, the gang unit was vital in providing information and resources for two gang awareness forums held in the City. The gang unit has also been responsible for providing the Tulare County District Attorney's office with support documentation that ensured gang members were validated; this allowed for sentencing enhancements for those who committed crimes to further their gang's status.

On several occasions throughout the year the gang unit is asked to participate in gang details and often hosts Tulare County Gang Task Force details within the City of Tulare.

One member of the gang unit is currently assigned to the Tulare County Agencies Regional Gang Enforcement Team (T.A.R.G.E.T.) under the supervision of the California Department of Justice. The T.A.R.G.E.T. operation is the only such specialized team within the State of California and focuses on gang intelligence rather than street enforcement.

### **Internet Crimes Against Children (ICAC) Task Force**

The Tulare Police Department is a member of the ICAC task force, which concentrates on the exploitation of children that occurs over the internet. The officer assigned to the task force is considered a computer forensics expert and has assisted in numerous investigations involving the possession, distribution, and production of child pornography. The officer's involvement in the task force has also resulted in the rescue of several children who were victims of child exploitation.

In the past year, through involvement in ICAC, the department has conducted internet safety and anti-bullying presentations to students in the Tulare City School District. By conducting assemblies at each school, the Department was able to reach out to nearly 3000 students.

## **ADMINISTRATION DIVISION**

The Administration Division is managed by a Captain and has two Sergeants, Animal Services Manager and a Senior Management Analyst, providing supervision to Communications, Crime Prevention, Records, Animal Control and Code Enforcement.



## **Crime Prevention**

### **School Resource Officers (SRO)**

Is a partnership between the Tulare Police Department, Tulare City School District and Tulare Joint Union High School. There are a total of (5) Resource School officer providing mentoring and enforcement activities to (3) High Schools, (2) Continuation Schools and (2) Middle Schools. SRO's are responsible for providing a secure environment for students and staff. They are also responsible for investigating crimes occurring on campus, completing reports and making arrest as needed.

### **D.A.R.E./G.R.E.A.T.**

Is a partnership between the Tulare Police Department and Tulare City School District. There are (3) Officers conducting DARE/GREAT curriculum within kindergarten-sixth grade for (15) campuses within the City of Tulare. The summertime GREAT program provides Gang and Drug awareness for approx. 70 students between the ages of 10-18 years. During the course of the year these officers have contact with over 7000 youth fostering positive relationships.

### **Community Oriented Policing Team**

There are two components to the Community Oriented Policing Team, two (2) Officers assigned to geographical areas (Community centers), 1 Westside, 1 Eastside to address concerns brought forward by residents of the area i.e. graffiti and general quality of life issues. The second component is the (3) Problem Oriented Police Officers. These officers work with other City Departments and take a more direct but less traditional enforcement approach to resolving issues including but not limited to Gangs, Property crimes, Traffic related problems and General quality of life issues.

### **Business Watch/Neighborhood Watch/Operation Home Safe**

These three functions of the Department are conducted by (1) Community Service Officer. Business Watch is a program consisting of over 100 businesses in the Downtown area, Inyo Avenue and Preferred Outlets. The philosophy is to promote police/business partnerships and problem solving strategies. The business owners/representatives are invited every other month to the Police Department and have a "Business Watch" meeting. The purpose of these meetings is to keep businesses informed of recent crime activity relative to their areas, conduct trainings with various speakers on topics relative to crime prevention and it gives businesses an opportunity to voice their concerns and together help find a solution. "Crime Log" e-mails are sent to the businesses with date, time and locations of thefts, burglaries and vandalisms.

Neighborhood Watch program has nearly 600 members with over 35 blocks. The meetings are held upon request of the members, usually twice a year. The objective is to bring neighbors together and provide them statistics on recent crimes. We create a plan on how to report suspicious activities and crimes. We discuss ways to help prevent crimes and answer questions and concerns. A partnership is then developed between the Police Department and individual citizens.

The Operation Home Safe is a nationwide rapid response program aiding victims and their families suffering from Alzheimer's, Dementia and related mental disorders, Down syndrome and Autism. We have four members at this time to assist with field activities/locates. Visits are made to their homes once a month, change the battery on the bracelet, ensure the locating device is operable and request equipment as needed.

Other programs consist of the "Annual Toy Drive", National Night Out, Department tours, informational booths, blood drive and National Drug Take Back Day.

**Code Enforcement (CE)**

Receives, identifies, records, and investigates complaints from the public and staff regarding violations of municipal codes, ordinances, standards and other health and safety regulations (quality of life issues), including animal control, and ensure they are complied with. The two (2) Code Enforcement Officers document violations by securing and photographs and other pertinent data, researches ownership records, complaint history, and regulations to determine violations. CE issues notices, writes letters, issues citations and/or acquires warrants to obtain compliance. CE maintains records, processes billing and records/terminates liens for abatements on properties. CE works with other City departments, as an enforcement body, to ensure compliance with codes that mandate notification by that department.

**Animal Services (AS)****Field Services:**

Tulare Animal Services field staff currently consists of one (2) full time Animal Services Officers. Staff responds to and reports on; animals (domestic, wild, livestock) running at large, lost or abandoned animals, animal cruelty, animal bites, vicious animals, animal licensing violations and deceased animal pick up. Historic data through driver logs indicates that field services have responded to approximately 6000 calls for service in 2011 (2012 data not available).

**Sheltering Facility:**

As of January 1, 2013 the City of Tulare opened its first animal sheltering facility. Staff consists of one (1) full License Technician and three (3) part time Kennel Technicians, one (1) fulltime Shelter Manager, one (1) full time Animal Services Officer.

The facility has seventy (70) general population kennels and ten (10) isolation kennels for canines. The facility also provides shelter for cats with twenty seven (27) general population kennels, six (6) adoption kennels and two (2) isolation kennels. Plans to provide sheltering for livestock and other undomesticated barn yard type animas are currently being planned. After six (6) business days of being open to the public, the facility currently houses approximately seventy (70) canines and nine (9) felines. Historic data through the Valley Oak SPCA indicates that the City of Tulare brought approximately 3800 animals to the SPCA in 2010. Because the City of Tulare is contracted with Exeter and Farmersville for sheltering purposes, Valley Oak SPCA data indicated that over 1000 animals were brought to the SPCA in 2010.

Networking with rescue groups and adoptions are active but staff anticipates the facility will remain at capacity with a steady turnover.

**Records Unit**

The Records Unit consists of one (1) supervisor, three (3) Records Specialists, and two (2) receptionists. Records processes all crime cases including DUI and traffic collisions, traffic citations, bookings, all cases filed with the District Attorney, all Sex, Arson, and Narcotics registrations, all report requests from outside agencies and individuals, and subpoenas for criminal cases and reports. This unit also processes stored, impounded, and stolen vehicles, warrant arrests, restraining orders, and maintains a variety of manual logs (Jail, Child Abuse reports, and DA filings). The unit is responsible for filing a monthly report with the CA Dept. of Justice for inclusion in the FBI Uniform Crime Report.

Records also generates false alarm billing documents, monthly record validations for the CA DOJ and traffic collision reports sent to CHP. The unit manages case lab results, processes DA Requests for Discovery and/or further information, scans documents into the Records Management System and

performs Court ordered record sealing. This unit processes more than 20,000 documents per year, or approximately 375 documents per officer. In addition, the unit staffs the Department's front counter, cashiering, answering questions, referring citizens, answering and managing phone calls, and monitoring visitors and vendors.

### **Communications**

There are twelve (12) full time Police Dispatchers, their responsibilities include receiving Emergency 911 calls and regular business calls on multiline computer phone system. Dispatching calls and keeping track of officer on the radio with a computer Aided dispatching program. Utilize the California Law Enforcement Telecommunications System (C.L.E.T.S.) for running warrant checks on people, guns and stolen property as well as the Department of Motor Vehicle state computer system for Driver License and Vehicle Registration information. The ability to handle multiple emergencies at once, acquiring the proper information for officer safety and the safety of citizens. Enter stolen property, stolen vehicles, missing persons and restraining orders. As the Public Safety Answering Point (P.S.A.P.) for the city all calls come to the dispatch center and they are triaged to the appropriate agency as needed. Local warrant checks thru the Tulare County Warrant system on subjects. During the course of 2012, 81,658 Calls for Service (CFS) were dispatched to officers by Police Dispatch.

### **FY 2012/13 ACCOMPLISHMENTS**

- Completed a communications center upgrade using funds made available by the State's 9-1-1 Office. The upgrade included the installation of an enhanced 9-1-1 system, a state-of-the-art digital recording system, and other associated equipment to replace older equipment that had exceeded its service life.
- Completed the Identix project by installing a fingerprinting device that is now designated for the public and juvenile arrestees. Prior to the installation of this device, citizens had to wait until our booking facility was empty before being fingerprinted. This often led to a long wait and a great deal of frustration for our citizens.
- Assumed responsibility for the City's code enforcement and animal services units. This transition involved the realignment of roles and responsibilities for code enforcement and animal services officers and the opening of Tulare's new animal services facility.

### **FY 2013/14 SPECIAL AND CORE OBJECTIVES:**

- Upgrade of the inventory system used in the Evidence and Property room to better track items through the process of storage, court and release.
- The installation of a kiosk in the lobby of the department to provide citizens access to vehicle release requirements, fines for specific violations of Administrative Codes, costs associated with purchasing reports, and other information associated with department and City business.
- The development of a department website where citizens can obtain department information on police activities, current crime statistics, community safety issues and how to obtain Records Unit services. The website would be developed to provide a variety of other information on the department, its services and how to report a crime or concern.

## Assumptions

- AB109/Public Safety Realignment will have a negative impact on crime in our city. With non-violent, non-serious, non-sexual violators serving only half their sentence locally (instead of state prison) with no parole or probation after their sentence is complete, we are going to see an increase in repeat offenses. This problem is going to be exacerbated by the fact the Tulare County Jail does not have the capacity to lodge these offenders. Jail overcrowding is going to allow these violators to participate in alternative sentencing methods such as electronic monitoring, house arrest, or work programs.

According to table 2.6 in 2009 the City of Tulare had 405 violent crimes about 18 percent of the County's total; 1,533 property crimes about 17 percent of the County's total; and 1,733 larceny-theft crimes about 19 percent of the County total.

Table 2.6  
CRIMES, 2009  
Tulare County

Jurisdiction	Violent crimes					Property crimes				Larceny-theft			Arson
	Total	Homicide	Forcible rape	Robbery	Aggravated assault	Total	Burglary	Motor vehicle theft	Larceny-theft over \$400	Total	Over \$400	\$400 and under	
County total	2,230	31	132	488	1,579	9,123	4,139	2,216	2,768	9,326	2,768	6,558	91
Sheriff's Department	553	16	31	93	413	1,883	1,187	0	696	1,966	696	1,270	28
Unincorporated	553	16	31	93	413	1,883	1,187	0	696	1,966	696	1,270	28
Dinuba	144	1	10	27	106	567	350	137	80	436	80	356	8
Exeter	32	0	6	11	15	211	120	34	57	202	67	145	1
Farmersville	97	0	2	11	84	118	59	35	24	102	24	78	1
Lindsay	66	0	3	5	50	267	136	75	56	189	56	133	2
Porterville	264	1	17	84	182	937	372	239	326	1,045	326	719	2
Tulare	405	4	9	84	308	1,533	599	377	557	1,733	557	1,146	34
Visalia	648	9	53	185	401	2,694	1,291	528	905	3,346	905	2,441	13
Woodlake	20	0	1	0	19	119	48	45	26	114	26	88	2
College of Sequoias	2	0	0	2	0	46	37	3	6	60	6	51	0
Union Pacific Railroad	0	0	0	0	0	0	0	0	0	0	0	0	0
CA Highway Patrol	1	0	0	0	1	745	0	743	2	133	2	131	0

## 2.6 Solid Waste Disposal

The Solid Waste Division is responsible for the collection and disposal of residential, commercial, industrial and roll-off refuse, green waste and recyclables generated within the boundaries of the city. This division provides bi-weekly service to residential accounts and as required to commercial, industrial, and roll-off accounts. Additional services include fall leaf pick-up, E-Waste recycling, curbside battery recycling, and various "clean-up" events. This division is also responsible for street sweeping operations and alley maintenance, which, like solid waste collection, contributes to the overall cleanliness and sanitary condition of the city. The Solid Waste/ Street Sweeping Division operates under the direction of the Board of Public Utilities.

In 1989, the State of California passed the Integrated Waste Management Act. Assembly Bill 939 (AB 939) required all cities and counties to implement programs to reduce landfill tonnage by 25% by the end of 1995, and 50% by the end of 2000. In 2009, AB 737 amended the Integrated Waste Management Act to require CalRecycle to adopt programs to increase statewide diversion to 75 percent by 2020. AB 737 also addresses recycling in the largely under-served commercial sector.

The Consolidated Waste Management Authority is a joint powers authority that is recognized by the

State and collectively manages the solid waste recycling and diversion activities for 8 local area members including Tulare County, Tulare, Visalia, Dinuba, Exeter, Farmersville, Lindsay and Porterville. Originally, the Integrated Waste Management Act required jurisdictions to divert 50 percent of their waste in the year 2000. Jurisdictions implement the combination of waste prevention, reuse, recycling, and composting programs that best meet the needs of their community while achieving the diversion requirements of the Act. SB 1016, Wiggins, Chapter 343, Statutes of 2008 passed in 2008, introduced a per capita disposal measurement system that measures the 50 percent diversion requirement using a disposal measurement equivalent. In 2010, California's statewide disposal was 30.4 million tons and population was 37.2 million residents. This resulted in a per resident disposal rate of **4.5 pounds/resident/day** calculated using SB 1016's measurement system. This rate remained unchanged from 2009.

The County of Tulare operates three landfills or solid waste disposal sites. These three facilities are the Road 80 Landfill, northwest of Visalia; the Woodville Landfill, southeast of Tulare; and the Teapot Dome Landfill, southwest of Porterville. The County also operates seven transfer stations. The transfer stations are located in rural areas for the convenience of the people who live near them and do not accept large volumes of waste. The seven transfer stations and approximate locations are listed below:

- Badger Transfer Station, east of Badger
- Balance Rock Transfer Station, north of Balance Rock
- Camp Nelson Transfer Station, northeast of Camp Nelson
- Earlimart Transfer Station, north of Earlimart
- Kennedy Meadows Transfer Station, near the Inyo County line in southeast Tulare County
- Pine Flat Transfer Station, north of Pine Flat
- Springville Transfer Station, south of Springville

Based upon discussions with the Tulare County Solid Waste Division, the Road 80 Landfill is planned to expand in 9-phases, based upon increased demand. Phase 1 expansion has already been implemented. With the nine phased expansions, the total capacity of the Tulare Landfill is estimated at 16,521,501 cubic yards. The Tulare County Solid Waste Division further indicated that the Tulare Landfill has sufficient capacity to accommodate solid waste disposal demands through year 2040.

For fiscal year 2012-13, anticipated revenues of \$7,444,190 were projected to cover estimated expenditures totaling \$6,593,640. It appears that the solid waste/street sweeping division is operated in an effective and efficient manner, and meets the needs of current residents, with the ability to serve additional customers. As employee (salaries/benefits), fuel costs, and landfill fees continue to rise, to keep pace with increasing demands and to keep the solid waste/street sweeping fund from incurring losses, refuse collection rate increased to \$20.90 in 2009, \$23.00 in 2010 and \$25.30 in 2011.

Giving the approach to the budget the City's street sweeping/solid waste division should be able to continue to provide solid waste collection/street sweeping services to existing and future residents, including SOI areas.

## Written Determinations

### *Water*

1. The current Master Plan has a planning area coterminous with the City's Urban Reserve Line, which lies within the City's UDB and SOI. When the City updates the Master Plan, it is recommended that the planning boundary be extended, at a minimum, to encompass the City's SOI, to ensure that adequate water supply can be provided to accommodate future growth consistent with General Plan Build-out.
2. Tulare's water supply source consists of a 30 domestic wells that are scattered throughout the City, extracting water from the City's underground aquifer. Newer wells drilled by the City over the past thirty-five years are gravel packed and have been drilled to approximately 700 feet. The older wells, and wells purchased by the City are generally around 350 feet deep. The City has one elevated water storage tank with a capacity of 150,000 gallons, and several hydro-pneumatic pressure tanks that are used for storage.
3. The City has an enterprise fund set up for the operation and maintenance of its water system, and a five year capital improvement program (CIP) for water, to implement capital water system improvements.
4. In 2012, the City produced 6,001 million gallons or 18,418 acre-feet (AF), which is equivalent to 16.4 million gallons per day (mgd) of water servicing a population of approximately 60,627. The average single-family residential customer has a monthly usage of 16 thousand gallons (Tgal). The City estimates that the current system operates at approximately 90%-95% of its capacity during summer (maximum demand) months.
5. The City's water supplies are periodically chlorinated to provide a disinfectant residual that is required by federal and state regulations and helps maintain a safe drinking water supply throughout the distribution system. This treatment process has proven sufficient to meet federal and state primary and secondary drinking water regulations. Hence, the quality of groundwater is not considered an impediment to water supply reliability at this time.
6. The City is engaged in an agreement with the Tulare Irrigation District (TID), in which the City compensates the District since the City's system benefits from the recharge of the aquifer as a result of the District's operations. The agreement was renewed in 2005 and extends through year 2035.
7. In fiscal year 2005-2006 per direction from the Board of Public Utilities, conversion of all connections to metered connections began. Since 2005, the City has installed water meters throughout the city and anticipates it will be fully metered by 2015. The City recently implemented a program to improve existing water meters, install additional water meters, and establish automated meter readings systems were established for previously unmetered accounts. The intent of the improvements was to improve the accuracy of the water meters and enhance the City's ability to effectively complete water billing each billing cycle. The City recently installed over 16,000 1-inch water meters in recent years to services that were not previously metered.

8. The City completed its 2005 UWMP in 2007 and in 2011 completed the 2010 UWMP.
9. The City has a sound management structure in place that will continue to provide efficient water service to existing and future residents of Tulare. The City has recently adopted a five year series of rate increases to fund operations and unforeseen major repairs and/or improvements to the water system.
10. When evaluating any proposed SOI updates, LAFCO should consider which agency can most efficiently provide water service to the subject area and ensure that adequate planning has taken place for the provision of public services.

#### *Wastewater Collection, Treatment and Disposal*

11. The City of Tulare Sewer System Master Plan was last updated in July 2009 by Carollo Engineering. When the City updates the Sewer System Master Plan, it is recommended that the planning Boundary be extended to encompass the City's SOI in order to ensure that adequate sanitary sewer infrastructure can be provide to accommodate future growth consistent with General Plan Build-out.
12. The City has an enterprise fund set up for the operation and maintenance of its sewer/wastewater systems, and a five year CIP for sewer/wastewater, to implement capital sewer/wastewater system improvements.
13. The City of Tulare wastewater collection system consists of a series of pipes and lift stations that transport raw sewage to the City's wastewater treatment facility (WWTF) located southwest Tulare. The City's WWTF includes two separate wastewater treatment trains (WWTTs), one for domestic wastes, and the other for primarily industrial wastes, described as follows.
14. The City owns and operates a wastewater treatment facility (WWTF) located at the intersection of Paige Ave. and West St. in southwest Tulare. The WWTF is operated under the provisions of *Waste Discharge Requirements (WDR) Order No. R5-2002-0186*, issued by the California Regional Water Quality Control Board Central Valley Region. A new WDR was adopted in April 2013 replacing the prior WDR Order No. R5-2002-0185. The City's WWTF has two separate wastewater treatment trains (WWTT), a domestic WWTT, and an industrial WWTT.
15. Based upon information contained in the *Wastewater User Charge Survey Report FY 2007-2008* (Cal EPA – State Water Resources Control Board, May 2008), the average dry weather flow at the WWTF (combined flow for both treatment trains) is approximately 11.3 MGD. Recorded flows indicate that the WWTF is currently operating near its permitted capacity for the domestic WWTT. However, ongoing efforts to improve the plant's capacity and efficiency are expected to increase available capacity to serve future growth. It is likely that additional capacity improvements will need to occur to meet the 20-year growth needs of the City.
16. The expanded domestic WWTT is a 6.0 MGD capacity activated sludge plant that includes headworks with mechanical screens and an aerated grit chamber, primary and secondary

sedimentation, biofiltration, activated sludge units, sludge thickening and digestion, and sludge drying. The secondary treatment plant's goal is to remove organic and solid materials and the nitrogen in the wastewater that can pollute the environment. The facility was built in 1920. Several major improvements have been made in the past 30 years to help handle these needs. The recent expansion in 2006 added an anoxic basin to help in the removal of nitrogen to meet the City's total nitrogen requirements, and the headworks were replaced in 2012.

17. The City's budget reflects continued efforts to anticipate and avoid any problems with the sewer/wastewater utilities, with many capital improvements included. Several million dollars in projects are proposed, and bonding and rate increases will continue to be needed.
18. Based upon a review of the City's budget for sewer/wastewater, it appears that the service is being managed in a cost effective and efficient manner. The City's effort to keep sanitary sewer rates in check is evident by the City's issuance of sewer bonds to construct capital improvements to the WWTF. The City is meeting the long term debt obligations of bond issuances.
19. As indicated in the original Municipal Service Review, there is no evidence suggesting that the City cannot continue to provide efficient water service to existing residents of Tulare. In addition, with continued ground water conservation efforts and infrastructure improvements it is likely that it could provide efficient water service to future residents.

#### *Drainage Infrastructure*

20. The Storm Water Management Plan outlines and directs the City's storm water related priorities and activities for the years 2009 through 2013. It provides a comprehensive five year plan to enhance and protect storm water quality in the City.
21. The City has a Storm Drainage Division that is funded through general fund appropriations, and, where appropriate, gasoline tax expenditures where storm drainage installations are in connection with major street projects.
22. Under an agreement with the TID, the City pumps storm water into the TID canal system. The majority of the storm water in the City is collected and flows to central points where it is pumped into the TID canal system under provisions of an agreement renewed in 2005. Disposal of storm water is also handled by means of storm drainage detention basins and storm drainage retention basins.
23. For fiscal year 2012-20123, \$249,600 was budgeted for the operation of the Storm Drainage Division.
24. The City assesses development impact fees for storm drain infrastructure with City Resolution Number 03-4988. The City storm drain impact fees are \$1,438 per single family dwelling.
25. The City has a five year CIP for storm drainage, to implement capital storm drainage system improvements.



26. The City will need to continually expand and improve its storm drain system to keep pace with development demands. As the City's storm drain system continues to expand, the City will likely need to add additional staff.
27. The City would be the most logical agency to provide storm drain infrastructure for development within the City's SOI. Past improvements to the City's storm drain system have significantly reduced flooding problems in the area.

#### *Streets and Roads*

28. The City plans for roadway transportation improvements through the implementation of General Plan Circulation Element Goals and Policies and Specific Planning.
29. The streets, roads, and circulation patterns in the City of Tulare was studied as a part of the General Plan Circulation Element, which was adopted by the City Council in 2008 but due to successful litigation the General Plan is being re-released. This information base provides an excellent foundation for evaluating the transportation issues in the City.
30. For the fiscal year 2012-13 budget cycle \$2,405,490 was allocated to the Streets Division from the general fund. Estimated expenditures totaling \$2,405,490 includes salaries and employee benefits totaling \$676,060 maintenance and operation totaling \$1,433,430 capital improvements/outlay totaling \$146,000 debt service totaling \$50,000, a \$100,000 operating transfer to Streets CIP. Capital improvements/outlay funded through general fund appropriations (\$100,000) includes allocations for defective concrete program alley repairs/maintenance , LED "Don't Walk", traffic loops, , Battery back-up system, Street light ballards and Traffic Signal Controllers. Debt service includes principal and interest payments for oversize liability.
31. The City continues to make steady progress towards upgrading and expanding its roadway infrastructure. The City continues to work towards improving the infrastructure that serves its citizens and has a detailed plan for constructing the needed improvements. The City's approach and plan for completing capital improvements is excellent, and in line with the needs of the community.

#### *Fire and Police Protection Services*

41. The Tulare Fire Department currently has 36.51 positions; 1 Fire Chief, 3 Division Chiefs, 0.51 Fire Investigators, 9 Fire Captains, 10 Fire Engineers, 7 Fire Fighter Paramedics, 3 Fire Fighter Paramedics (unfunded), 1 Fire Inspector III, 1 Fire Inspector II, 1 Fire Inspector I, 3 fire stations, 5 fire engines, and one aerial ladder truck (Table 2.4). Standards included in the Tulare Fire Department's Master Plan call for 0.86 fire fighters per 1,000 residents, 0.08 fire stations per 1,000 residents, 0.086 fire engines per 1,000 residents, and 0.086 aerial ladders per 1,000 residents.
42. Based on the performance standards listed in the Master Plan and the City's current population, the Fire Department should have 48 fire fighters, 4 fire stations, 5 fire engines, and 5 aerial ladders. The result is the Tulare Fire Department has a deficit of 32 fire fighters, 1 fire

station, and 4 aerial ladders when compared to the City standard.<sup>20</sup>

43. The City continues to upgrade fire facilities and increase fire staff as needed to serve the residents of Tulare through capital improvement funds and general fund allocations.
44. The City adopted a Fire Department Master Plan in 2009. The Master plan addresses how the department should meet community needs and identifies specific goals and objectives to assure that Tulare citizens are adequately protected in the future.
45. The Tulare Police Department operates out of one main station located at 260 South “M” Street and three community policing sub-stations. The Tulare Police Department currently has 75 sworn officers, 9 non-sworn officers, 84 vehicles, and a 16,700-SF police station.
46. Current department standards call for two sworn officers per 1,000 residents, 0.56 non-sworn officers per 1,000 residents, 2 vehicles per 1,000 residents, and 177 SF of facility space per employee. Based on these requirements and the City’s current population, the Police Department should have 112 sworn officers, 31 non-sworn officers, 112 vehicles, and 25,345 SF main police station space. The result is the Tulare Police Department having a deficit of 37 sworn officers, 22 non-sworn officers, 28 vehicles, and 8,645 SF in police station space when compared against the City standard.
47. The Tulare Police Department continues to actively support proven crime prevention programs and to explore new and innovative methods to reduce crime in the City. Neighborhood watch crime prevention programs are proven and effective means to substantially reduce not only the incidence of residential burglaries in a specified geographic area, but the incidence of other crimes.
48. The City of Tulare had 405 violent crimes accounting for about 18 percent of the County’s total; 1,533 property for crimes about 17 percent of the County’s total; and 1,733 larceny-theft crimes for about 19 percent of the County total.
49. The City shall evaluate the fiscal impacts of new development and encourage a pattern of development that allows the City to provide and maintain a high level of urban services (including but not limited to water, sewer, transportation, fire stations, police stations, libraries, administrative, and parks), and community facilities, and utility infrastructure, as well as attract targeted businesses and a stable labor force.

#### *Solid Waste*

41. Solid waste collection service is provided by the City while disposal services are provided through Tulare County via area landfills. The City’s solid waste collection operations are also

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<sup>20</sup> City of Tulare: 2008 Fire Protection and Emergency Services Master Plan

integrated with the City's street sweeping activities.

42. The City's solid waste division continues to be very active in providing quality services. A tenth residential route was added in fiscal year 2010-11 due to new housing growth since the last route that was added in 2002.
43. In 1989, the State of California passed the Integrated Waste Management Act. Assembly Bill 939 (AB 939) required all cities and counties implement programs to reduce landfill tonnage by 25% by the end of 1995, and 50% by the end of 2000. The eight Tulare County City's (Porterville, Visalia, Tulare, Lindsay, Dinuba, Farmersville, Exeter, and Woodlake) are involved in a Joint Power Authority (JPA) and are currently at 67% diversion
44. For fiscal year 2012-13, anticipated revenues of \$7,444,190 were projected to cover estimated expenditures totaling \$6,593,640. It appears that the solid waste/street sweeping division is operated in an effective and efficient manner, and meets the needs of current residents, with the ability to serve additional customers.
45. As employee (salaries/benefits), fuel costs, and landfill fees continue to rise, to keep pace with increasing demands and to keep the solid waste/street sweeping fund from incurring losses, refuse collection rate increased to \$20.90 in 2009, \$23.00 in 2010 and \$25.30 in 2011.
46. The City's street sweeping/solid waste division should be able to continue to provide solid waste collection/street sweeping services to existing and future residents, including SOI areas.

### 3 Financial Ability to Provide Services

The purpose of this section is to evaluate a jurisdiction's capability to finance needed improvements and services. The section summarizes the accomplishments of the City's budget preparation process.

#### Annual Budget

The City of Tulare has sound financing/funding practices established as a part of their budget preparation process. The City's budget includes several funds (identified below) for which revenue sources and expenditures are clearly articulated.

- General fund
- Special revenue funds
- Trust funds & debt service funds
- Enterprise funds
- Redevelopment funds
- Internal service funds

The City's budget identifies detailed revenue projections by fund, along with line item expenditure recommendations. It also shows prior year expenditures and projections for comparison. The budget contains a variety of schedules that may be used by city staff, board members, and citizens as a resource document. It is designed to contain both fiscal data and departmental information. For the past 13 consecutive years the City of Tulare has received an "Outstanding Financial Reporting Award" from the California Society of Municipal Finance Officers. A copy of the most recent budget has been included as an attachment to this document.

The City's estimated general fund total balance decreased at the end of fiscal year 12/13 by 33.55% to 21,768,150. The budget maintains a reserve in excess of the council-directed 15% General Fund reserve. Based on the review of the multi-year budget plan, the reserve can be maintained for the next five years with prudent budgeting.

The City has had to reevaluate the method of approaching the budget the last few years. There has been a structural deficit in place for several years as expenses grew at a faster rate than revenues while management awaited economic recovery. For the past few years, that budget gap has been "closed" through the use of rainy day funds and massive infusions of one-time money-including loan repayments from the Tulare Redevelopment Agency.<sup>21</sup>

It appears that the current economic times have altered the economic landscape and recovery will be slow. Taken from the 2012/13 budget is an excerpt describing the approach the City is taking with the budget:

*"...With this fiscal year 2012/13 balanced budget proposal, the City begins to end that practice by working to bring expenses more in line with actual revenues and saving its rainy day funds for when they are truly needed. This budget also proposes an approach that does not wait for an external recovery, but instead starts to fight back from within the organization. It is a budget and approach that compels City Council leadership towards making the changes needed to create an organization that is excellent at its core mission and services.*

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<sup>21</sup> 2012-2013 City of Tulare Budget

*The City is facing economic and financial challenges that require real and meaningful changes to the way in which the City conducts its business. We must provide the citizens of Tulare with services they value and are willing to pay for. This means listening to their voice (expressed through their City Council representatives and through the daily communication of citizens), and continuously improving all City functions. An internal culture that works constantly to produce value and eliminate waste is needed. Such a cultural change does not happen on its own and without resources dedicated towards its achievement. This budget proposal rests on the assumption that resources will be provided to instill a LEAN culture.*

*A LEAN culture means a work place where continuous improvement is achieved through the elimination of waste (waste itself is specifically defined in LEAN management literature as non-value added activities). A LEAN culture recognizes that employees aren't just the most important resource in the organization; they are the organization. This means that City processes and projects must be managed in ways that are safe, productive, and produce goods and services that meet the public's expectations of value, as reflected in their willingness to pay the cost of those goods and services."*

### **BUDGET ASSUMPTIONS**

*In preparing this budget, certain assumptions were used. These include the following:*

- 1. Balanced budget
  - a. Debt service paid first*
  - b. Up to 2.5% revenues for capital asset replacement*
  - c. New projects will be undertaken only as funded*
  - d. Up to 1.0% for catastrophic events*
  - e. Up to 1.0% for an economic incentives reserve*
  - f. Up to 0.5% technology, systems improvement.**
- 2. Program/Project level budgeting*
- 3. Development and construction generally pays its own way*
- 4. Enterprise fund loans -- repay general fund over 3- 5 years.*
- 5. Redevelopment Agency dissolution impacts are acknowledged.*
- 6. Animal Shelter- \$1.6M reserve for project.*
- 7. Inflation rate- Inflation rate of 0.0%*
- 8. Street repair methods- More projects, more often.*
- 9. Reserves- Core 15.0% of budgeted operating expenditures and transfers out plus:
  - a. \$100,000 unanticipated litigation and claims defense reserve;*
  - b. 1.0% catastrophic events reserve;*
  - c. 1.0% economic development reserve; and*
  - d. 0.5% technology and process improvement reserve.**

*"The proposed budget provides resources implement LEAN techniques. Such techniques are used in some of the best run companies in the world today. The idea is for continuous improvement ideas and techniques to be infused among all staff and into all City operations.*

*This includes determining what steps in each City process actually add real value to the final products and services produce; and which do not add real value. Eliminating and reducing the latter will be a priority over the coming year."*

## **Local Funding**

The grand total operating budget for the City is over \$180,000,000. The CIP is funded through development impact fees, and as appropriate, transfers from other City funds. Following are a few examples of projects that the City has completed (or is in the process of completing) fully or partially funded through revenue generated from development impact fees.

- Cartmill Interchange;
- New Animal Shelter;
- Fire Station Improvement Project;
- Mulcahy Park;
- Bardsley Grade Separation; and
- Implementation of repairs to some of the City's 30 worst streets (aka "the Dirty 30")

## **Outside Funding**

The City also actively seeks outside funding through state and federal grant and loan programs. The City's grant writing efforts resulted in grants for the construction of parks, medians, asphalt rubber chip seals for city streets, police and fire protection, special projects and other benefits to the City.

The City's commitment to aggressively seeking outside grant funding has resulted in \$1.2 million to fund four police officers and the Sunrise Park acquisition. In addition, the fire department installed mobile data terminals (MDT) and automatic vehicle locating systems (AVL) in all fire apparatus. The goal was to reduce response times and decrease the need for additional fire companies. Funding for this project was provided by the Tulare County Operational Area Homeland Security Grant.

City staff continues to strive to meet the Council's goals to bring jobs and at least the City's fair share of sales, taxes, and grants to the community.

## **Bond Ratings**

Since the 2003, the City has sold bonds to finance expensive capital improvements to its WWTF, and to refinance higher interest, existing borrowings. Series 2010 bonds were issued to finance the acquisition and construction of capital improvements to the City of Tulare's wastewater system; fund capitalized interest on the Series 2010 Bonds; and fund a debt service reserve fund. The sewer bonds keep customer rates lower by spreading out required improvement costs over time, and will save in interest, as most of the bond was to refinance high interest borrowings. These bonds have been rated "Aaa" by Moody's Investors Services and "AAA" by Standard and Poors.<sup>22</sup>

## **State Fiscal Impacts**

Due to continuing losses of revenue due to the state's fiscal crisis, and the Council's funding of new police personnel, the general fund budget is not currently balanced. A new revenue source is needed to maintain and improve the City's public safety services in the years ahead. A sales tax ballot initiative, which increased the local sales tax by ½ cent in order to maintain and improve the City's public safety services, was passed in the November 2005 election. In 2013 the sales tax increased to

<sup>22</sup> City of Tulare Comprehensive Annual financial Report for Fiscal Year Ended June 30, 2012.

8.5% up 0.25% from 2012. The increase is due to Proposition 30 which voters passed on Nov. 6th to generate funds for education, the tax increases will last until Dec 31, 2016.

The City identifies the biggest threat to City services over the past twenty years as the state government. Major losses of traditional local revenues occurred in 1978, 1993, 2003, and 2011. The slow economic recovery, coupled with the demise of Redevelopment Agencies in the State of California, eliminated most options for dealing with the City's persistent General Fund deficit.

As indicated in the City's 2012/13 budget the instability of the State's budget continues to be a threat to local governments, including the City of Tulare. The City has made adjustments to prior State actions, including the reduction of the Vehicle License Fees (VLF) and the "triple flip" budget action. The State's decision to eliminate redevelopment activities is discouraging given the many success stories within the community. Nevertheless, the City of Tulare is taking actions to balance the budget absent approximately \$6 million annually in tax increment monies; to suspend all redevelopment activities, and to comply with legislation in the formation of a successor agency to take over the assets and obligations of the former redevelopment agency.

The City will need to continue to seek ways to offset revenue losses resulting from the state fiscal conditions. Additional revenue streams could be generated by continuing to aggressively seek state and federal grant funding, local tax initiatives, working with the private sector to fund certain activities, and promoting economic development that will generate tax revenue.

## **Written Determinations**

### *Annual Budget*

1. The City of Tulare has sound financing/funding practices in place in order to fund City provided services. The financing functions guide the City on how revenue can be best spent by considering the impact on the community, public perception/acceptance, difficulty of implementing, and impact on employees.
2. Property tax revenue is projected to remain flat at 0% growth to last year's revised revenue estimates.
3. Sales tax revenue estimates are projected at an additional 3% growth as compared to last year's revised revenue estimates.
4. Employee vacancies remain unfilled unless critical to the operation of the City of Tulare.
5. The Government Finance Officers Association (GFOA) recommends a reserve balance of no less than 5-15% of operating revenues in the general fund, or between one and two months of regular general fund expenditures.
6. The City assesses development impact fees to mitigate impacts on infrastructure resulting from new development projects. The City uses these fees to construct capital infrastructure improvements.
7. The City has had to reevaluate the method of approaching the budget the last few years. There has been a structural deficit in place for several years as expenses grew at a faster rate than revenues while management awaited economic recovery.

### *Local Funding*

8. The capital improvement program is funded through development impact fees, and as appropriate, transfers from other City funds.

### *Outside Funding*

9. The City also actively seeks outside funding through state and federal grant and loan programs. The City's grant writing efforts resulted in grants for the construction of parks, medians, asphalt rubber chip seals for city streets, police and fire protection, special projects and other benefits to the City.

### *Bond Ratings*

10. In the past few years, the City has been selling bonds to finance expensive capital improvements to its WWTF and to refinance higher interest, existing borrowings. These bonds have been rated "Aaa" by Moody's Investors Services and "AAA" by Standard and Poors.<sup>23</sup>

### *State Fiscal Impacts*

11. The City identifies the biggest threat to City services over the past twenty years as the California State government. The constitutional protection passed in November 2004 reduces the unfortunate threat to the financial future of the City.
12. The City will need to continue to seek ways to offset revenue losses resulting from the state fiscal conditions. Additional revenue streams could be generated by continuing to aggressively seek state and federal grant funding, local tax initiatives, working with the private sector to fund certain activities, and promoting economic development that will generate tax revenue.

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<sup>23</sup> City of Tulare Comprehensive Annual financial Report for Fiscal Year Ended June 30, 2012.



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## **4 Status of, and Opportunities for, Cost Avoidance and Shared Facilities**

The purpose of this section is to:

(1) Identify practices or opportunities that may help to eliminate unnecessary costs. This section evaluates the City's fiscal structure and the cost avoidance practices built into the City's budgetary process. The City's purchasing policy is also described to show how the City avoids unnecessary costs through competitive bidding, and other purchasing practices.

(2) The purpose of this section is to identify opportunities to positively impact rates without decreasing service levels. This section provides a comparison of various utility rates to surrounding jurisdictions to show that the City can provide effective quality service at rates comparable to surrounding agencies.

(3) The purpose of this section is to evaluate opportunities for a jurisdiction to share facilities and resources, thereby increasing efficiency. This section provides a description of the City's current facilities sharing activities, and identifies future opportunities to collaborate with other agencies on joint use projects and/or practices.

### **Cost Avoidance Opportunities**

The purpose of this section is to identify practices or opportunities that may help to eliminate unnecessary costs. This section evaluates the City's cost avoidance practices built into the City's budgetary process. The City's purchasing policy is also described to show how the City avoids unnecessary costs through competitive bidding, and other purchasing practices. The City's goals with regard to cost avoidance opportunities are also discussed.

### **Budgetary Process**

The City's budgetary process is designed to screen out unnecessary costs. The budget development process involves extensive work by the City Council, City Manager, budget staff, and managers of all departments. In addition to meetings beginning at the departmental level with the first line supervisors, the City Manager, department heads, and the Finance Director meet to go over each budget. Workshops are then held with the management team to confirm priorities, develop a list of budget balancing measures, prioritize them, and reach consensus on recommendations.

On or before the second regular meeting in May of each year, the City Manager shall submit to the Council an estimate of revenue and expenditures for the ensuing year which contains an estimate of the probable revenue from all sources, the amount necessary to meet the interest and principal of the bonded indebtedness of the City, and the following information, arranged in parallel columns:

- Detailed estimate of the expenses of conducting each Department
- Expenditures for the corresponding items for the past two fiscal years
- Expenditures of corresponding items for the current fiscal year

- Supplies and materials on hand
- Such other information as the Council may require
- Recommendations of the City Manager

Typically, proposed expenditures which exceed previous years for corresponding items need justification, and need to be in line with the goals of the City Council. These goals and priorities help City staff focus on the areas that will be receiving financial resources in the next fiscal year. This process avoids unnecessary costs by helping to refine the specific priorities to be considered in the next fiscal year. Consistent with the Council's prioritized goals, several funding recommendations serve the goals of highest priority; funding for public safety has increased, and major economic development efforts continue.

### **Purchasing (Procurement) Policy**

The City has comprehensive purchasing policies that promote the cost-effective procurement of goods and services. These policies identify specific rules and regulations for purchasing services and capital assets for the City. These policies are detailed within a comprehensive Procurement Policy Manual, organized as follows.

- **Section 1 – General Provisions:** Contains guidelines to address ethical considerations, delegations to other City officials, source of selection policies, award policies, value and price policies, supplier policies, bid requirements, exceptions to bidding requirements, rejection of bids, award of contracts, and equipment purchases.
- **Section 2 – Procurement by Formal Advertising:** Contains guidelines addressing general policy with regard to competitive bidding, formal bidding procedures, and supplemental procedures.
- **Section 3 – Procurement by Open Market Procedure:** Contains guidelines addressing general policy for procurement by open market procedure, source selection procedures, and award of purchases.
- **Section 4 – Sole Source Procurement:** Contains guidelines addressing general policy for sole source procurement, justification for requesting sole source procurement, cost and price analysis, and award of purchases.
- **Section 5 – Procurement Process:** Contains guidelines addressing supplier/department relations policies (relations with other departments, relations with suppliers representatives'), purchase requisitions, request for quotation of bids, purchase orders, issuance of purchasing orders, purchase order acknowledgement, follow-up procedures, receiving procedures, emergency purchases, coordination of purchases, and return of unauthorized purchases.

- **Section 6 – Miscellaneous:** Contains guidelines addressing warranty or guarantee policies, signature requirements, theft of or damage to City property, and claim deadlines.
- **Section 7 – Charter and Other Requirements for Purchasing:** This section identifies amendments to the City’s charter (by resolution) that have an effect on the purchasing activities of the City.

Healthy competition is at the heart of efficient purchasing. Competition is directly related to the prices the City pays and the quality of the goods and services it obtains. The City’s procurement policy is based upon fair and open competition. The foundation for effective fair and open competition is equal treatment of each vendor, and it is imperative that no vendor is given an advantage over the others.

### **Goals/Policies Related to Cost Avoidance**

The City avoids unnecessary costs through the implementation of infrastructure Master Plans, which assist in eliminating overlapping or duplicative services. Master planning documents also provide sound funding alternatives for their implementation, and plan for growth within and surrounding the City. The City also has a development impact fee program to help offset the financial responsibility of the City to install and maintain the infrastructure necessary to serve new developments.

The City can avoid unnecessary costs by implementing smart growth practices by promoting development in infill areas and areas where infrastructure is already in place (and has excess capacity). Through the preparation, implementation, and updating of infrastructure Master Plans, the City can avoid unnecessary costs by incrementally expanding its infrastructure to areas zoned for General Plan development. Master Plans and Specific Plans also help to ensure that duplication of services does not occur.

The City could also avoid unnecessary costs through the construction of joint use facilities, including but not limited to recreational sports fields, parks, or a museum (in cooperation with the County). The City’s use of landscaping and lighting districts, along with impact fees is an important aspect of avoiding future financial liability. Additional practices which have the potential of eliminating unnecessary costs include the formation of homeowners associations for larger scale residential developments where shared (community) facilities are present. Associations could maintain facilities such as streets, play grounds, swimming pools, parks, and gyms, thereby relieving the financial obligations of the City.

As indicated in table 4.1, the City is able to provide quality service generally at comparable rates compared to than other cities within the County. There is no evidence suggesting that the annexation of areas within the SOI and/or UGB would result in unreasonable fees for these services as properties annex and develop within the city except to the extent that significant non-conforming uses exist in these areas. Also, to the extent that any areas within the SOI and/or UDB have existing infrastructure deficiencies. It is anticipated that fees for the SOI/UGB areas would be in line with citywide fees for such services. As previously discussed, the City has programs in place (development impact fees, capital improvement program, etc.) for the construction of new infrastructure, thereby, mitigating the need to increase rates for current residents to support new development within the SOI/UGB areas.

**Table 4.1**  
**Water, Sewer and Refuse Rates**

<b>Single Family Water Rates</b>				
<b>City</b>	<b>Monthly Service Meter Charge</b>	<b>Water (per 100 cubic feet or 748 gallons)</b>	<b>Other Charges</b>	<b>Sample Monthly Bill</b>
City of Visalia	\$6.70	\$0.89	\$0.00	\$25.19 <sup>3</sup>
City of Porterville	\$5.00	\$0.72	6% of Total <sup>1</sup>	\$10.76 <sup>3</sup>
City of Tulare	\$10.07 <sup>2</sup>	\$0.40	\$0.00	\$10.07 <sup>2</sup>

<b>Single Family Sewer Rates</b>		
<b>City</b>	<b>Flat Rate</b>	<b>Other Charges</b>
City of Visalia	\$23.60	\$0.00
City of Porterville	\$26.87	\$0.00
City of Tulare	\$42.00	\$0.00

<b>Single Family Refuse Rates</b>		
<b>City</b>	<b>Flat Rate</b>	<b>Other Charges</b>
City of Visalia	\$23.85	\$4.00/Additional Can
City of Porterville	\$17.00	\$0.00
City of Tulare	\$25.30	\$8.00/Additional Can

Notes: 1) The City of Porterville assesses a 6% Utility Users Tax within City Limits  
2) The City of Tulare's Base Rate of \$10.07 covers water usage to 10,000 gallons.  
Usage above 10,000 gallons has additional charges in the amount of \$0.58 per 1,000 gallons (134 cubic feet).  
3) Based on 5984 gallons

### Current Shared Facilities

The purpose of this section is to evaluate opportunities for a jurisdiction to share facilities and resources, thereby increasing efficiency. This section provides a description of the City's current facilities sharing activities, and identifies future opportunities to collaborate with other agencies on joint use projects and/or practices.

### Current Shared Facilities

The City of Tulare has worked with TCAG and Tulare County RMA on regional planning issues including transportation, solid waste, and coordinating applications to request State and/or Federal funding for joint projects. In 1989, the State of California passed the Integrated Waste Management Act. Assembly Bill 939 (AB 939) required all cities and counties implement programs to reduce landfill tonnage by 25% by the end of 1995, and 50% by the end of 2000. The eight Tulare County City's

(Porterville, Visalia, Tulare, Lindsay, Dinuba, Farmersville, Exeter, and Woodlake), established a Joint Power Authority to comply with the requirements of AB 939.

The City of Tulare has mutual aid agreements with surrounding jurisdictions to provide and/or receive emergency and fire support services. The City also works with the Tulare Irrigation District and the Kaweah Delta Water Conservation District on groundwater recharge, and water resource management issues.

The City coordinated with Caltrans on a new landscape project along SR 99 through Tulare, and explored funding possibilities and set a timetable for wall construction along freeway abutting residential areas.

### **Future Opportunities**

With the State budget crisis impacting both Counties and Cities, the need for intergovernmental cooperation is becoming apparent, as every agency is facing an unprecedented assault on local resources. For this reason, it is important for City'(s) and the County to meet this challenge on common ground.

The City has several future opportunities for shared facilities and/or the construction of joint use projects. One opportunity for shared facilities involves the construction of groundwater recharge facilities. As groundwater levels in the County continue to dwindle, the importance of groundwater recharge projects is becoming apparent. Groundwater recharge efforts would benefit both the County as a whole and the City in terms planning for future growth within the SOI boundary.

Other opportunities for shared facilities include the coordination and construction of recreational facilities including parks, hiking/bike trails, scenic trails, etc. The area separating the Cities of Tulare and Visalia could be considered ideal for the construction of joint recreational facilities, as there are several waterways that enhance the recreational appeal of the area. Planning this area for future recreational facilities could be accomplished as a joint effort between the City of Tulare, the City of Visalia, and Tulare County. The recreational aspects of trail connections offer opportunities for cities and Counties to join recreational resources not only to the benefit of the cities residents', but for the general public of the County as well.

The City of Tulare should explore opportunities to work with the local school district to share recreational facilities including gymnasiums, ball fields, track and field facilities, hard courts, and other facilities as such activities could benefit both the school district, and City residents.

The City should continue to work with the County on efforts to preserve prime agricultural land, and discourage development that would result in the loss of such lands. The City can accomplish this through smart growth planning, and promoting higher density developments.

## Written Determinations

### *Cost avoidance*

1. The City of Tulare uses conservative budgeting practices to ensure adequate and cost-effective services to current residents. It can be expected that the City will avoid unnecessary costs that may be caused by the annexation of the proposed SOI areas through comprehensive analysis of the costs and benefits of a proposed development in those areas.
2. The City has a thorough and well-established budget process that it can continue to improve upon as a way of avoiding unnecessary costs.
3. Master planned infrastructure helps the City in avoiding unnecessary costs through effective planning and implementation policies, and eliminating overlapping and/or duplicative services.
4. The City's developer impact fee program has proven effective in reducing the financial responsibility of the City to install and maintain infrastructure to serve new developments. The primary financial responsibility for the installation and maintenance of infrastructure to serve the SOI areas would be offset by impact fees and expenses paid for by the developer.
5. The City has a well-defined purchasing policy that promotes healthy competition and guides the City in obtaining cost effective and quality services.
6. The City's use of landscaping and lighting districts, along with impact fees is an important aspect of avoiding future financial liability. The formation of homeowners associations for larger scale residential development could also help reduce the financial liabilities of the City.

### *Fee Structure*

7. The City is able to provide quality service generally at comparable rates compared to than other cities within the County. There is no evidence suggesting that the annexation of areas within the SOI and/or UGB would result in unreasonable fees for these services as properties annex and develop within the city except to the extent that significant non-conforming uses exist in these areas. Also, to the extent that any areas within the SOI and/or UDB have existing infrastructure deficiencies. It is anticipated that fees for the SOI/UGB areas would be in line with citywide fees for such services. It is anticipated that fees for the SOI/UGB areas would be in line with citywide fees for such services.

### *Current Shared Facilities*

8. *The City has worked with TCAG and Tulare County RMA on regional planning issues including transportation, solid waste, and coordinating applications to request State and/or Federal funding for joint projects.*
9. *The City has mutual aid agreements with surrounding jurisdictions to provide and/or receive emergency and fire support services.*
10. *The City actively works with the TID and the Kaweah Delta Water Conservation District on groundwater recharge, and water resource management issues.*

11. *The City coordinated with Caltrans on a new landscape project along SR 99 through Tulare and explored funding possibilities and set a timetable for wall construction along freeway abutting residential areas.*

*Future Opportunities*

12. *The City has several future opportunities to share services and/or facilities in the future, including but not limited to: groundwater recharge efforts, recreational facilities within mutual benefit areas, sharing facilities with the school district, and agricultural land preservation.*



## **5 Accountability for Community Service Needs, Including Government Structure and Operational Efficiencies**

### **Government Structure**

The purpose of this section is to consider the advantages and disadvantages of various government structures to provide public services. This section describes the potential fiscal impacts of development within SOI areas, and the annexation of land. The section also identifies the potential implications of possible boundary conflicts that could affect the governmental structure of the City and surrounding agencies.

### **Development within SOI Areas**

One of the most critical elements of LAFCO's responsibilities is in setting logical service boundaries for communities based on their capability to provide services to affected lands. Similar levels of public participation can be expected for either City or County development projects in the planning and development process for the SOI territories. It is possible that development in the SOI areas that occurs under County control may not fully resolve impacts to the City, such as increased traffic on City streets and new groundwater wells to support County development impacting Tulare groundwater aquifers and other analogous assumptions. It can also be assumed that the reverse is true: that development controlled only by the City may leave impacts in the County unresolved in whole or in part. The challenge of this planning effort is to coordinate shared infrastructure and improvements so as to mitigate impacts on either side of the City/County limit boundary. Since the development of the SOI territories generally relies on Master Planned infrastructure available from the City, it is logical that the City assume the lead in planning for SOI properties.

If the City were to be the lead planning agency for properties within the SOI, LAFCO could require the City to bring coordinated plans for infrastructure forward to LAFCO at the time specific annexations requests are submitted. This would provide a checks and balance system for incorporating new lands within the City, and would render the remaining County lands a part of an integrated whole.

As previously noted, there are no more unincorporated "County Islands" within the City Limit Boundary. Annexation of these "County Islands" into the City creates a more defined City Limit Boundary while meeting or exceeding the current levels of service provided by the County.

The City helps guide infrastructure improvements within SOI areas through the preparation of Specific Plans, and Master Plans. A Specific Plan usually provides for a more detailed planning process and covers development issues in a more comprehensive manner.

The City Limits can be established in a manner that maximizes open space and agricultural land preservation. The City completed a comprehensive General Plan Update in 2008 but due to successful litigation the City must revisit the General Plan and update some of the assumptions made in the Update. The County has recently completed an update of their General Plan. The City and County General Plans will enhance management of the development of the land within SOI areas. The County General Plan represents a policy base that provides for high-quality orderly and sensible growth. It also promotes the provision of adequate and efficient public services for logical and appropriate municipal expansion into the area while preserving agricultural lands for priority agricultural use, consistent with County land use policies. The plan also draws the line at urban growth limits for the City, identifying lands that will remain in the County. The City and County will need to work collaboratively on their General Plan Updates to ensure consistency, and avoid costs associated with general plan amendment proposals.

Tulare County LAFCO has adopted specific policies for reviewing proposals for a change in organization, reorganization, incorporations, dissolution and other proposals processed by Tulare County LAFCO. Tulare County LAFCO policy C-1 identifies factors and standards to be considered in review proposals including additional requirements for City annexations, standards for annexation to special districts, standards for the formation of special districts, and standards for City incorporation. Tulare County LAFCO policy C-2 outlines general procedures for changes in boundaries or organization to be processed by LAFCO. Generally, proposals for changes in boundaries, formations, or changes of organization can be submitted for the consideration of LAFCO by petition of the registered voters or affected landowners; however, prior to the circulation of any petition, a "Notice of Intent to Circulate" must be presented to the LAFCO Executive Officer. A proposal may also be initiated by a resolution adopted by the governing body of any related public body (county, city or special district). The proposal must be submitted on forms available from the LAFCO staff office, or on the LAFCO website, along with the applicable number of maps, legal descriptions, and filing fees to cover the proposal submitted.

Tulare County LAFCO policies C-3 and C-4 outline specific criteria for petitions for change in organization, and protest hearings, respectively. Tulare County LAFCO policy C-5 sets forth specific criteria for establishing, and reviewing amendment proposals to, Spheres of Influence. Policy C-5 contains criteria regarding the following items: Existing boundaries, conflicting boundaries, initial implementation, scheduled updates – Cities, scheduled updates – Special Districts, Exceptions, separation of communities, disadvantaged unincorporated communities, municipal service reviews, and also contains an MSR exemption policy. SOI amendments shall be processed in accordance with the policies and procedures set forth by Tulare County LAFCO.

### **Boundary Conflicts**

The City is currently underway with revising its General Plan and growth boundaries. An SOI update should wait until the completion of the City's General Plan update. However, the adoption of this MSR will allow for the Commission to hear SOI amendment requests pursuant to GC section 56428 and Tulare County LAFCO Policy C-5.7.

Currently, both the City of Visalia's and City of Tulare's SOI extend past their 20-year UDBs and meet along Avenue 264. Because of the relationship between the two cities' SOIs, it is recommended that both SOI updates be completed at the same time. The City of Visalia is also in the process of updating its General Plan and growth boundaries.

As part of the eventual SOI update, the location of the SOI in relation to the various unincorporated communities around Tulare will need to be reviewed. There are several communities that are within one growth boundary but not the other. Government Code section 56425(e)(4) allows for the inclusion of "Communities of Interest" in an agency's SOI.

## Organizational Structure

The following section discusses various operational and service aspects of the City of Tulare. Much of the information was obtained from the City's website at [www.ci.tulare.ca.us](http://www.ci.tulare.ca.us). The website provides detailed descriptions of the departments serving the residents of the City. Overall, a review of the documentation reveals that the City is well run and organized in an efficient manner. The City's budget document is an excellent example of the efficient management methods used. The budget provides a history of performance and accountability and allows for a clear view of what the City's residents are getting for the fees and taxes they pay. This type of accountability provides for an efficiently and effectively run organization. Corrections to programs can be made when needed and services that are no longer required can be evaluated.

## Awards & Recognitions

Adding to a list of prior recognitions, the City, in late November 2003, was selected as a "Champion of Small City Management" by the National Pat Summerall Production Company. This organization for several years has coordinated a "Champions of Industry" recognition program for outstanding national firms. Tulare's award was one of no more than eight that was presented to California local governments. Among the many activities reviewed, the selection committee noted the following accomplishments – support for world agriculture and the City's food processing plants, strong support for arts and parks programs, and commitment to the redevelopment of the downtown area.

More recently, the City's *Tule Vista Rent to Own Housing Development*, received the Residential Development-2012 Blueprint Awards from the San Joaquin Valley Regional Policy Council. The Blueprint Awards recognizes outstanding achievement in quality development and recognizes projects that contain the Blueprint Principles. In addition to the recent awards, following is a list of recognitions that the City has received in the past several years.

- 2010 California Sustainability Alliance-Honorable Mention
- 2011 Green California Leadership Awards (Climate Change)
- 2010 Darrel Hildebrand Blueprint Leadership Award
- 2010 Government Finance Officers Association- Certificate of Achievement for Excellence in Financial Reporting
- 2011 Award of Excellence from the California State Chapter of the American Planning Association
- 2011 Central Section Outstanding Planning Project award
- 2011 Beacon Award-Local leadership toward solving climate change
- 2012 Leadership in Energy and Environmental design (leed)
- 2012 Silver Certification for the Tulare Public Library
- 2012 Award of Merit Residential Development

The numerous awards and recognitions the City of Tulare has received are indicators of the City's excellent management strategies to respond to the needs of the community and its citizens.

## Government Structure

Tulare, a charter City, operates under the council-manager form of government. The City council appoints a City Manager that is trained and experienced in municipal operations. The City Manager, as chief executive officer of the City, is responsible for various functions assigned by the City's Charter and the City Council. These include overseeing the implementation and administration of

Council policy, supervising the activities of all departments, enforcing City ordinances, preparing the operating and capital improvement budgets, and other such duties and responsibilities as may be assigned by City Council. The City Manager's office has the responsibility to ensure the needs and concerns of the community and the City organization are properly addressed to assure Tulare is a good place to live and conduct business. A summary of the City's departments and the various services they provide to residents is provided below.

**Administrative Services Department** – The City's administrative services department consists of the following functions: City Council, City Manager, City Clerk, Finance, Purchasing, Human Resources, Property Services and Transit. City Council enacts ordinances and resolutions, and approves the budget and city expenditures. In addition to its legislative duties, the Council also appoints citizens to serve on Boards and Commissions that operate in an advisory capacity to the Council. The City Council also appoints a City Manager, City Clerk, and City Attorney who serves as legal advisor to the Council and City officials. The City Manager is responsible for planning, directing, coordinating, and reviewing the activities and operations of all City departments. A major roll for the City Manager is recommending the budget to the Council on an annual basis. The current City Manager also serves as the City Clerk and General Manager of the Board of Public Utilities. Duties of the City Clerk involve maintenance of the City Seal and the official records, ordinances and resolutions of the City. Finance is primarily responsible for the fiscal operations of the City including the planning, directing, monitoring and improving the City's financial resources. The primary objective of the purchasing division is to establish efficient and cost effective procedures for securing supplies and equipment used by all departments of the City. The human resources division is responsible for all matters relating to the efficient operation of the personnel system and risk management, including recruitment, testing and certifying of applicants for initial employment; promotional examinations; maintenance of the classification and compensation plans; employee orientation and training; coordination of the employee safety program; administration of matters regarding employer/employee relations; administration of the City's affirmative action plan; maintenance of the central personnel records; administration of the employee health benefit plan, workers compensation, liability claims and special projects as assigned. The transit division is responsible for the operation of the Tulare Transit Express. Property services are responsible for all real property that the city owns, including fleet, airport and facilities property.

**Development Services Department** – The City's development services department consists of three divisions including planning, building inspection and engineering. The planning division is responsible for providing professional advice and service to the Planning Commission, City Council, City Manager and other staff members regarding all matters pertaining to planning and zoning in accordance with the scope of City Ordinances and state planning laws. The building inspection division issues required permits, checks building plans for compliance with code requirements; validates contractors licenses and workers compensation insurance; performs inspections during the course of construction and maintains records of all activities of the division. The engineering division provides project design, surveying, inspection, and construction management for capital improvement projects; reviews plans and inspects construction of new developments to ensure compliance with applicable laws and ordinances, city standards, specifications, master plans, and sound engineering design methods; provides traffic engineering planning and design to assure the safe

and efficient movement of people and products; and provides long range planning for the City's streets, utilities, and drainage infrastructure.

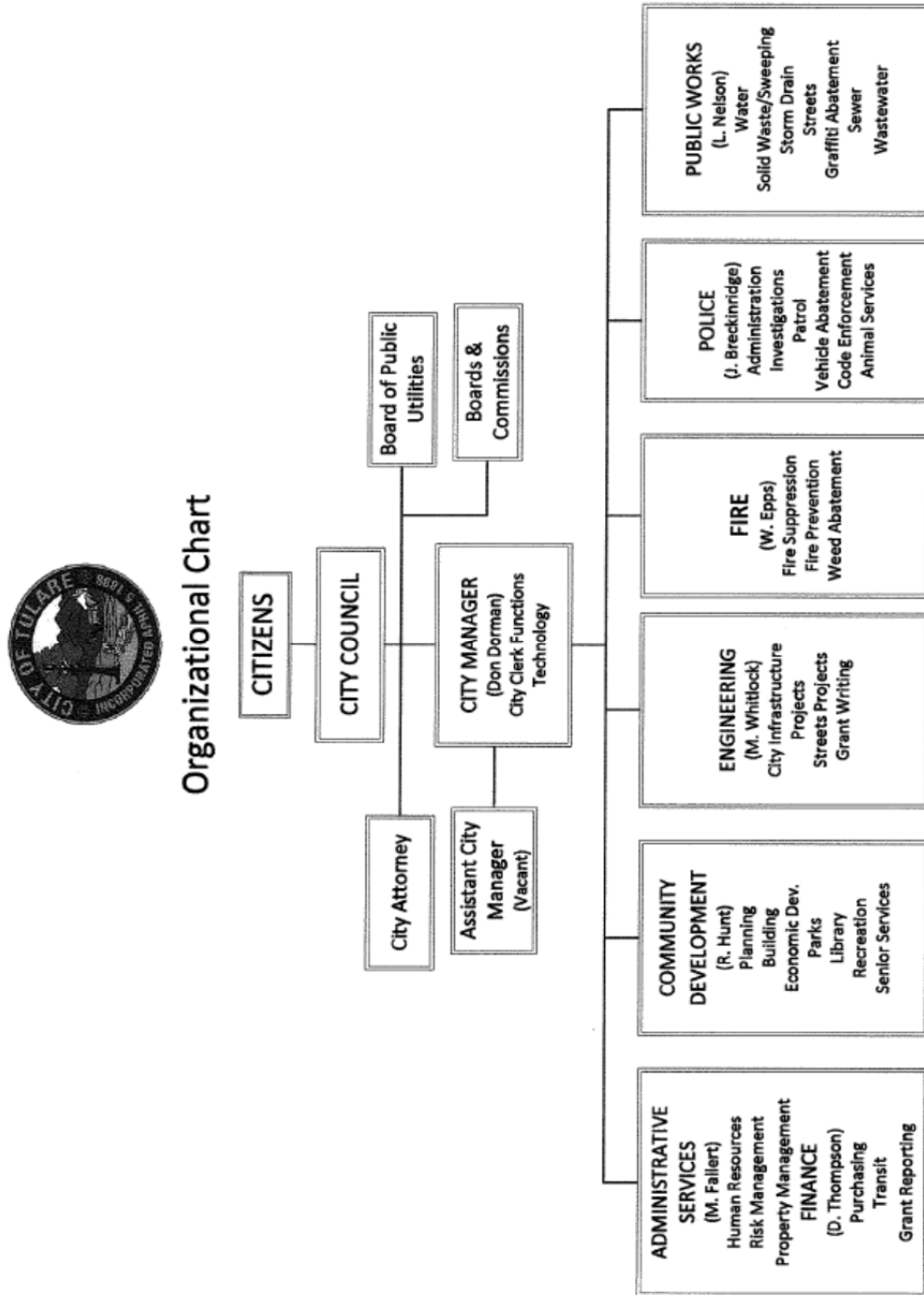
**Parks, Library and Recreation Department** – The City's Parks, Library and Recreation Department consists of three divisions/commissions/boards including parks and recreation (commission), the library advisory board, and senior services. The purpose of the Parks and Recreation Commission is to act on matters of recreational importance to all segments of the community, including recreation programs, facilities and park development. The library advisory board advises the library director and the City Council on all matters pertaining to library services. The Commission on Aging advises the Recreation, Parks and Library Department on community matters of senior citizen interest such as recreation, social and nutritional services.

**Public Works Department** – The City's public works department has five divisions including water, solid waste, streets, fleet maintenance, and wastewater/sewer. The primary objective of the water division, which operates under the direction of the board of public utilities, is to provide water that is of safe and sanitary quality for the citizens of Tulare and an adequate water supply for fire protection. The solid waste/street sweeping division, which operates under the direction of the Board of Public Utilities, is responsible for the collection and disposal of commercial and domestic refuse, green waste and recyclables generated within the boundaries of the City. The streets division is responsible for maintaining and repairing all City streets, alleys, storm water inlets, City parking lots, streetlights and signs. The wastewater/sewer division, which operates under the direction of the board of public utilities, is responsible for operating and maintaining, expanding, cleaning and repairing the sanitary sewer trunk line system, lift stations, pumps, and the City's wastewater treatment facility.

**Police Department** – The City's police department has five divisions including police administration, patrol, investigation, traffic safety and animal services. The police administration division is responsible for the department's communications, records keeping, DARE program, and crime prevention efforts. The primary function of the patrol division is to provide visible presence within the community, suppressing criminal activity, preventing crime, and apprehending offenders. The investigations division is responsible for investigating all felony crimes and a good portion of the misdemeanors that may occur in the City. The animal control division is solely responsible for animal control services, with a focus on increasing adoptions, vaccinations, and neutering/spaying, while reducing the number of loose animals.

**Fire Department** – The City's fire department consists of three divisions including fire administration, suppression and prevention. The fire administration division is responsible for the department's communications, records keeping, education, and code enforcement. The fire suppression division includes all uniformed personnel who respond to emergency incidents with appropriate apparatus and perform activities required to mitigate the emergency nature of the incident. The fire prevention division provides safety inspections of existing buildings open to the public, performs plan review for safety compliance of all new commercial, industrial and multi-occupancy structures, investigates fires for origin and cause determination, and assists with the prosecution of arson caused fires.

FIGURE 7.1 CITY OF TULARE ORGANIZATIONAL CHART



Note: Parentheses denotes top management

Effective: 07/02/2013

## **Public Access and Information Methods**

The governing body of Tulare is the City Council, which is elected in compliance with California Election Laws. The City complies with the Brown Act Open-Meeting Law and provides the public with opportunities to get information about City issues, including website and phone access, and bill inserts. The City also posts a calendar of events, and on a quarterly basis, a discussion of “Current City Issues”, on their website. The City does not however, prepare and distribute a regular newsletter.

Regular City Council meetings are held on the first and third Tuesday of each month at 7:00 p.m. in the Council Chambers of the Civic Affairs Building located at 125 South “M” Street, Tulare. The City posts, on their website, as a courtesy, all meeting agendas including City Council agendas, Board of Public Utilities agendas, Planning Commission agendas, Parks and Recreation Commission Agendas, Aviation Commission agendas, Redevelopment Board agendas, and Environmental Impact Review Committee agendas, among others.

The internet is a relatively low-cost yet powerful method of involving the general public/customers/ratepayers in District affairs. Greater dissemination of information can lead to greater interest in attending Council meetings and participating in elections. It also allows the public, some of whom are not physically able to attend Board meetings, to follow District activities remotely from their home or business.

## **Written Determinations**

### *Government structure options*

1. Since development of properties within the SOI generally relies on Master Planned infrastructure available from the City, it is logical for the City to assume the lead in planning for these sites.
2. The City has a sound governmental structure that provides necessary resources to provide public services and infrastructure improvements within the SOI area.
3. Coordinated infrastructure plans for development within the SOI area that are submitted with specific annexation requests would create a checks and balance system for incorporating lands into the City while promoting improvements to impacted adjacent County land.
4. Tulare County LAFCO has adopted specific policies for reviewing proposals for a change in organization, reorganization, incorporations, dissolution and other proposals processed by Tulare County LAFCO, including annexations, and SOI amendment proposals.
5. The City is currently underway with revising its General Plan and growth boundaries. An SOI update should wait until the completion of the City’s General Plan update. However, the adoption of this MSR will allow for the Commission to hear SOI amendment requests pursuant to GC section 56428 and Tulare County LAFCO Policy C-5.7.

6. Currently, both the City of Visalia's and City of Tulare's SOI extend past their 20-year UDBs and meet along Avenue 264. Because of the relationship between the two cities' SOIs, it is recommended that both SOI updates be completed at the same time. The City of Visalia is also in the process of updating its General Plan and growth boundaries.
7. As part of the eventual SOI update, the location of the SOI in relation to the various unincorporated communities around Tulare will need to be reviewed. There are several communities that are within one growth boundary but not the other. Government Code section 56425(e)(4) allows for the inclusion of "Communities of Interest" in an agency's SOI.

#### *Management Efficiencies*

8. The City has an effective organizational structure that is readily available to respond to the needs of the community.
9. The numerous awards and recognitions the City has received are indicators of the City's excellent management strategies to respond to the needs of the community and its citizens.
10. There is no evidence indicating that the City's current management structure would not be able to assume services within the SOI area, and/or continue to assist other agencies through mutual aid agreements.
11. As a part of the budget process, the City evaluates the accomplishments during the previous budget cycle, and also outlines specific objectives for the following budget cycle. This is done for each department at the division level.

#### *Local Accountability and Governance*

12. The City complies with the Brown Act Open-Meeting Law and provides the public with opportunities to get information about City issues, including website and phone access, and bill inserts. The City also posts a calendar of events, and on a quarterly basis, a discussion of "Current City Issues", on their website ([www.ci.tulare.ca.us](http://www.ci.tulare.ca.us)).
13. The City maintains a comprehensive website, which provides a means to keep the public informed on local events, current City projects, department budgets, recreational activities, and other activities occurring in the City.
14. The City conducts public workshops to keep the public involved with local planning issues including land use, housing, circulation, and other issues key to the development and growth of Tulare.
15. The City continues to demonstrate acceptable local accountability and governance by responding, in a timely fashion, to the needs of the community and its citizens.



## **6 Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy**

### **Disadvantaged and Other Developed Unincorporated Communities**

Pursuant to Government Code section 56430, municipal service reviews are required to identify the location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence and to also identify needs or deficiencies related to sewers, municipal and industrial water and structural fire protection. Government Code section 56033.5 defines a “disadvantaged unincorporated community” as inhabited territory, as defined by section 56046 (12 or more registered voters), or as determined by commission policy, that constitutes all or a portion of a disadvantaged community as defined by Water Code section 79505.5 (a community with an annual median household income that is less than 80 percent of the statewide annual median household income).

Tulare County LAFCO Policy C-5.11(C) defines a disadvantaged community as an area that has a median household income 80% or less of the statewide average pursuant to Public Resources Code section 75005(g) and contains at least 20 dwelling units at a density not less than one unit per acre. (Note: the definition of a disadvantaged community is consistent between PRC §75005(g) and WC §79005.5.)

In addition to what is required by GC §56430, Tulare County LAFCO Policy C-5.11(B)(VI)(a) requires that the Written Statement of Determinations for MSRs shall be based on a comprehensive review of area service providers conducted in accordance with GC §56430(b) and shall include, but is not limited to: estimate of existing population, identification of existing service providers, identification of services provided within the community, service costs and identification of surrounding land use designations, both existing and planned, contained in a city’s General Plan or County’s Community Plan for all (not just disadvantaged) unincorporated communities within or adjacent to the agency’s SOI. (Note: A reasonable effort shall be made to conduct a thorough review; however, the level of detail is subject to the extent data is readily available and relevant to the overall MSR analysis.)

Five unincorporated communities within or adjacent to the City of Tulare’s SOI have been identified. One community, East Tulare Villa, is outside the current SOI but is adjacent to the College of Sequoias (COS) – Tulare Campus which is proposed to be included into its SOI and annexed into the City [Figure 6-1 - Unincorporated Communities]. The population data used in the community descriptions below is based from U.S. Census blocks. Census blocks don’t always align with the communities’ boundaries so the population figures listed may not be exact.

U.S. Census median income data does not extend down to the Census block level. Without available definitive median income data, for the purposes of distinguishing between disadvantaged versus non-disadvantaged communities, parcel assessed valuations, owner occupancy, housing characteristics, infrastructure conditions and anecdotal evidence was used. Four of the six communities have been determined to be disadvantaged (Matheny Tract, Soultis Tract, Lone Oak Tract and East Tulare Villa).

### **Unincorporated County Communities:**

Matheny Tract This is a disadvantaged community adjacent to the City boundary to the south between Pratt and I street. It is made up of County Tracts 53 and 104. Per the 2010 Census, there

are 1,225 residents (up from 1,107 in the 2000 Census). The County and City General Plans designate the community as “Suburban Residential”.

#### Lone Oak Tract

This is a disadvantaged community adjacent to the west side of the City boundary and borders the south side of Souls Tract. Per the 2010 Census, there are 139 residents (down from 156 in the 2000 Census). The County and City General Plans designate the community as “Suburban Residential”.

#### Souls Tract

This is a disadvantaged community to the west of the City and borders the north side of Lone Oak Tract. Per the 2010 Census, there are 125 residents (the same as in the 2000 Census). The Souls Tract is also known as County Tract 138. The County and City General Plans designate the community as “Suburban Residential”.

#### Tract 103

Tract 103 is a non-disadvantaged community located to the east of the City on the north side of Tulare Avenue (SR-137). Per the 2010 Census there are 95 residents (down from 126 in the 2000 Census). [Note: the census block area includes a substantially larger area with this tract.] The County and City General Plans designate the community as “Suburban Residential”.

#### Tract 396

This is a non-disadvantaged community that is located to the north of Tulare on the east side of Mooney Blvd (SR-63). Per the 2010 Census, there are 221 residents (down from 226 in 2000). The County and City General Plans designate the community as “Suburban Residential”.

#### East Tulare Villa

This is a disadvantaged community to the east of the City on the north side of Bardsley Avenue. The community is outside and not adjacent to the City’s current SOI. However, the COS – Tulare campus borders the community to the south and is proposed to be included in the SOI and annexed to the City. The community is composed of County Tracts 132, 355 and 388. Per the 2010 Census there are 737 residents (down from 768 in 2000). [Note: census block data was used rather than the East Tulare Villa CDP which includes a larger area.] The community is outside the planning boundary for the City General Plan and is within the Rural Valley Lands Plan (RVLP) area in the County General Plan.

**Table 6-1 Demographics – Unincorporated Communities (2010 Census)\***

Community	People	Hispanic	<18	Housing Units	Vacancy	People/ Unit**
Matheny Tract	1,225	73.2%	37.9%	349	7.2%	3.8
East Tulare Villa	737	55.9%	32.7%	201	4.4%	3.8
Tract 396	221	36.7%	36.7%	72	5.6%	3.3
Lone Oak Tract	139	65.5%	33.1%	47	4.3%	3.1
Souls Tract	125	52.8%	32.0%	40	2.5%	3.2
Tract 103	95	22.1%	20.0%	42	4.8%	2.4
<b>TOTAL</b>	<b>2,542</b>	<b>61.7%</b>	<b>33.6%</b>	<b>751</b>	<b>5.7%</b>	<b>3.6</b>
<b>City of Tulare</b>	<b>59,278</b>	<b>57.5%</b>	<b>33.3%</b>	<b>18,863</b>	<b>6.1%</b>	<b>3.3</b>

\*Based off of corresponding Census blocks. Some communities don’t align continuously with Census block boundaries so the figures may not be exact.

\*\*People per occupied housing unit.

#### **Services:**

### Domestic Water

East Tulare Villa is served by CalWater's Tulco system (which is not connected to CalWater's Visalia system). The Tulco System's water quality meets State requirements. The system is down to one functional well. CalWater is in the process of linking to the City system so that the City can provide water on an emergency basis if the last well breaks down. City water lines currently run along Bardsley Avenue on the south border of East Tulare Villa. These lines serve the COS campus on the south side of Bardsley.

Matheny Tract is currently served by Pratt Mutual Water Company. The water has arsenic levels exceeding the State minimum (a high of 15.7 micrograms/liter – the minimum is 10 micrograms/liter). The City is working with Self Help Enterprises, secured State grant funding to overhaul the water infrastructure and connect it to the City. Pratt MWC will cease to exist once the project is completed.

Souls Tract is served by Souls Mutual Water Company. There is a history of nitrate contamination with this system (73.3 mg/l on 7/6/11 – the minimum is 45 mg/l). The City did install a metered connection between the Souls system and the City system in 2008. However, the base water amount (160,000 gallons) was used in two days so the Souls MWC requested that the connection be turned off. The water loss could have been due to severe leakage in their system or backflow into their well. The Souls MWC in coordination with Self Help Enterprises has applied for State grant funding to replace the infrastructure to allow for a stable connection to the City system.

Tract 396 is connected to CalWater's Visalia system. Tract 103 is served by individual wells. Lone Oak Tract is connected to the City of Tulare's water system. Visalia's water system is addressed in their MSR. Tulare's water system is addressed in Chapter 2 of this MSR.

### Sewer

All of the communities are served by individual septic systems. On May 10, 2012, the County received a Proposition 84 planning grant for connecting the Matheny Tract into the City's sewer system. Other near-term opportunities, if funding can be secured, would also include Souls Tract, Lone Oak Tract and East Tulare Villa since all three communities are either adjacent to the City or adjacent to existing City sewer lines. Tract 396 is significantly closer to the City of Visalia's sewer system than to Tulare. Tract 103 is about half a mile east of the nearest trunk line.

### Fire Protection [Figure 6-2]

Tulare County and all of the incorporated cities have a mutual-aid agreement for fire protection services. The proximity of the nearest City or County fire station varies significantly between the unincorporated communities. There are three City fire stations and one County fire station in the Tulare area. County Fire Station #25 is within Tulare City limits.

County Fire Station #25 is the closest station to Matheny Tract (2 mi.), East Tulare Villa (<3 mi.) and Tract 103 (3 mi.). City Fire Station #61 is also in close proximity to all three of these communities. City Fire Station #62 is closest to Souls Tract and Lone Oak Tract (2 mi.). Visalia's Station #52 is the closest to Tract 396 (<3 mi.). The closest Tulare station (#63) is 3.5 miles away from Tract 396 with the closest County station (#25) almost 6 miles away.

*In addition to the specifically required services (sewer, water and fire protection) in GC §56430(a)(3), other services and infrastructure are also reviewed below:*

### Solid Waste

Solid waste collection is provided by the County through licensed haulers. All of the communities are in Area C which is serviced by USA Waste (a subsidiary of Waste Management). Upon annexation, the existing license would continue for up to 5 years before the City could provide solid waste collection (PRC §49520).

### Parks

There are no park facilities within any of the identified unincorporated communities. Tract 396 is less than one mile away from Mooney Grove Park. The other communities are in much closer proximity to City parks than to County parks.

### Street Lighting

The County typically provides street lighting at major road intersections in the communities and does not provide mid-block lighting as is typical within cities. Matheny Tract, East Tulare Villa and Tract 396 have lighting at many of the intersections in those communities. Lone Oak Tract has street lighting at the entrance of the subdivision on Enterprise Ave. Soult's Tract and Tract 103 do not have street lighting.

### Streets and Roads

The streets in the identified communities are public roads for which the County is responsible for road maintenance with the exception of State Highways for which Caltrans is responsible for road maintenance. SR-63 runs along the west side of Tract 396 and SR-137 runs along the south side of Tract 103. There are a total of 8.8 centerline miles of County roads and 0.4 centerline miles of State roads in the identified unincorporated communities around Tulare. The condition of the roadways varies significantly (based on physical observation) between and within the communities, ranging from very poor in Tract 103 to good in Soult's Tract.

### Other Services

All of the communities are within the Tulare Local Health Care District. Healthcare services are addressed in the MSR for the Tulare Local HCD. All of the communities are within the Tulare Mosquito Abatement District. Mosquito abatement services are addressed in the MSR for the Tulare MAD. Unincorporated areas are served by the Tulare County Sheriff's Department. There is also a mutual-aid agreement between the County and City for police response.

### Other Infrastructure

The presence of curbs, gutters and sidewalks varies significantly between the communities. East Tulare Villa, Tract 396 and Soult's Tract have curbs and gutters. Some street segments within the Matheny Tract have curbs and gutters. Tract 103 and Lone Oak Tract do not have curbs and gutters. There are no sidewalks in these communities with the exception of a few short stretches within the Matheny Tract.

**Table 6-2 Summary of Services and Disadvantaged Status – Unincorporated Communities**

Community	Water	Sewer	Fire*	S.Waste**	Hospital	Mosquito	Disadv.
Matheny Tr.	MWC/City	Septic	County	USA	Tulare	Tulare	Yes
E. Tulare Villa	CalWater	Septic	County	USA	Tulare	Tulare	Yes
Tract 396	CalWater	Septic	Visalia	USA	Tulare	Tulare	No
Lone Oak	City	Septic	City	USA	Tulare	Tulare	Yes
Soult's	MWC	Septic	City	USA	Tulare	Tulare	Yes
Tract 103	Ind. Well	Septic	County	USA	Kaweah	Tulare	No

\*Nearest Station

\*\*By license with the County

### Annexation

None of the communities are County islands and do not qualify under the stream-lined County island annexation procedures (GC §56375.3). The Matheny, Soult and Lone Oak Tracts all currently border the City. However, annexation is only possible if there is land owner and registered voter support. As a condition of approval to the City's South I Street Industrial Annexation, if 25% of Matheny Tract property owners sign and submit a petition seeking annexation to the City of Tulare, the City shall process the annexation request in accordance with City annexation policy. East Tulare Villa, Tract 103 and Tract 396 are currently not contiguous to the City. Pursuant to Government Code 56375(a)(8), the potential annexation of disadvantaged unincorporated communities needs to be addressed when a city applies for a contiguous annexation of 10 acres or more.

### **Conflicting Growth Boundaries**

Figure 6-3 shows the City's incorporated area, the City's 20-year UDB, the County's 20-year UDB and the SOI. The County and City UDBs are very similar while there are numerous inconsistencies between the UDBs and the SOI. Table 6-3 lists the acreages of the various current planning boundaries and the percentage size differential between each planning boundary and the existing City Limits. (Note: The City is in the process of updating its General Plan, so the new City 20-year UDB could be significantly different than the current UDB.)

**Table 6-3  
City of Tulare Boundary Comparison**

<b>Boundary</b>	<b>Size (acres)</b>	<b>Size (sq. mi.)</b>	<b>Difference vs. City Limits</b>
Incorporated City	12,935	20.2	n/a
Sphere of Influence	19,895	31.1	53.8%
City 20-year UDB	15,405	24.1	19.1%
County 20-year UDB	15,706	24.5	21.4%

Note: The estimated population % growth between  
2010 and 2030 is 75.1%

Tulare County LAFCo Policy C-5.2 states the following:

*Where differences exist between County and City adopted twenty-year boundaries, for the same community, the Commission shall determine which boundary most closely reflects the statutory requirements or intent of the Cortese-Knox-Hertzberg Act for the setting of Spheres of Influence. Among other considerations, the Commission may determine which boundary is supported by the most recent or most complete analysis, including such documentation as may be required by the California Environmental Quality Act (CEQA). Should LAFCO determine that no existing Planning Boundary complies with the statutory requirements or intent of the Cortese-Knox-Hertzberg Act, the Commission shall determine the twenty-year growth boundary independently of other agencies. In all cases of conflicting boundaries, the commission shall attempt to reconcile the various boundaries and the Sphere of Influence before adoption.*

The City is currently underway with updating its General Plan and growth boundaries. An SOI update should wait until the completion of the City's General Plan update. However, the adoption of this MSR will allow for the Commission to hear SOI amendment requests pursuant to GC section 56428 and Tulare County LAFCO Policy C-5.7.

The City of Tulare and County of Tulare entered into a Memorandum of Understanding (MOU) ON Dec. 13, 2012. As part of the MOU, the following was agreed to regarding the 20-year UDB relationship with a LAFCO adopted SOI:

*The County will cooperate with the City to establish a new 20-year UDB adopted by both the county and the City, Which the parties will use their best efforts to make coterminous with the SOI set by LAFCO.*

The MOU also includes agreements regarding the County General Plan, development impact fees, and provisions regarding development and land use within the County adopted UDB and Urban Area Boundary (UAB).

Currently, both the City of Visalia's and City of Tulare's SOI extend past their 20-year UDBs and meet along Avenue 264. Because of the relationship between the two cities' SOIs, it is recommended that both SOI updates be completed at the same time. The City of Visalia is also in the process of updating its General Plan and growth boundaries.

As part of the eventual SOI update, the location of the SOI in relation to the various unincorporated communities around Tulare will need to be reviewed. There are several communities that are within one growth boundary but not the other [Table 6-4]. Government Code section 56425(e)(4) allows for the inclusion of "Communities of Interest" in an agency's SOI. Tulare LAFCO Policy 5.1 defines a Community of Interest as follows:

*...communities of interest may include agricultural buffer areas, publicly-owned facilities, noncontiguous subdivisions and development areas, key intersections, highway corridors, and parcels of land associated with the affected community, and other similar areas as my be determined by the Commission.*

**Table 6-4**  
**Unincorporated Communities vs. Growth Boundaries**

<b>Community</b>	<b>SOI</b>	<b>City UDB</b>	<b>County UDB</b>
Matheny Tr.	Yes	No	No
E Tulare Villa	No	No	No
Tract 396	Yes	No	No
Lone Oak Tr.	Yes	Yes	Yes
Soults Tract	Yes	Yes	Yes
Tract 103	Yes	No	No

## **Written Determinations**

### *Disadvantaged and Other Developed Unincorporated Communities*

1. There are five unincorporated communities within the existing City SOI (Matheny Tract, Tract 396, Lone Oak Tract, Soults Tract and Tract 103) and one unincorporated community (East Tulare Villa) that would be adjacent to the SOI if an annexation of the COS campus is approved. Matheny Tract, East Tulare Villa, Lone Oak Tract and Soults Tract have been determined by LAFCO to be disadvantaged pursuant to Government Code and local adopted policy. The City of Tulare has not made a similar determination.

2. Tract 396 is connected to CalWater's Visalia system. East Tulare Villa is served by CalWater's Tulco system. Lone Oak Tract is connected to the City of Tulare's system. Tract 103 is served by individual wells. Soult's Tract is served by the Soult's Mutual Water Company. Matheny Tract is served by Pratt Mutual Water Company but is in the process of connecting to the City of Tulare's system.
3. Matheny Tract's arsenic contamination issues are being resolved by the replacement of existing infrastructure and connection into the City system. Soult's Tract domestic water has nitrate contamination and there is an outstanding grant request that would also enable the replacement of existing infrastructure and connection into the City system.
4. All of the unincorporated communities sewer service are individual septic systems. The County is discussing with the City about possibly extending City sewer service to Matheny Tract.
5. The unincorporated communities are served primarily by the County fire department. The City and the County have a mutual-aid agreement for fire protection services with 3 City fire stations and 1 County fire station in the Tulare area.
6. The inclusion of the various unincorporated communities around Tulare in its SOI shall be reviewed in the next SOI update.

#### *Conflicting Growth Boundaries*

7. LAFCO shall determine the SOI for the City of Tulare pursuant to State law and Tulare County LAFCO Policy C-5.
8. The City of Tulare's SOI Update should wait until after the completion of their General Plan Update. SOI amendments can occur following the adoption of this MSR update.
9. Due to the relationship of the City of Tulare's and Visalia's SOIs, the SOI updates for both of the cities should be completed contemporaneously.
10. The City and County have entered into a MOU to (among other issues) use their best efforts to adopt UDBs coterminous with the SOI.

Figure 6-1  
Unincorporated  
Communities

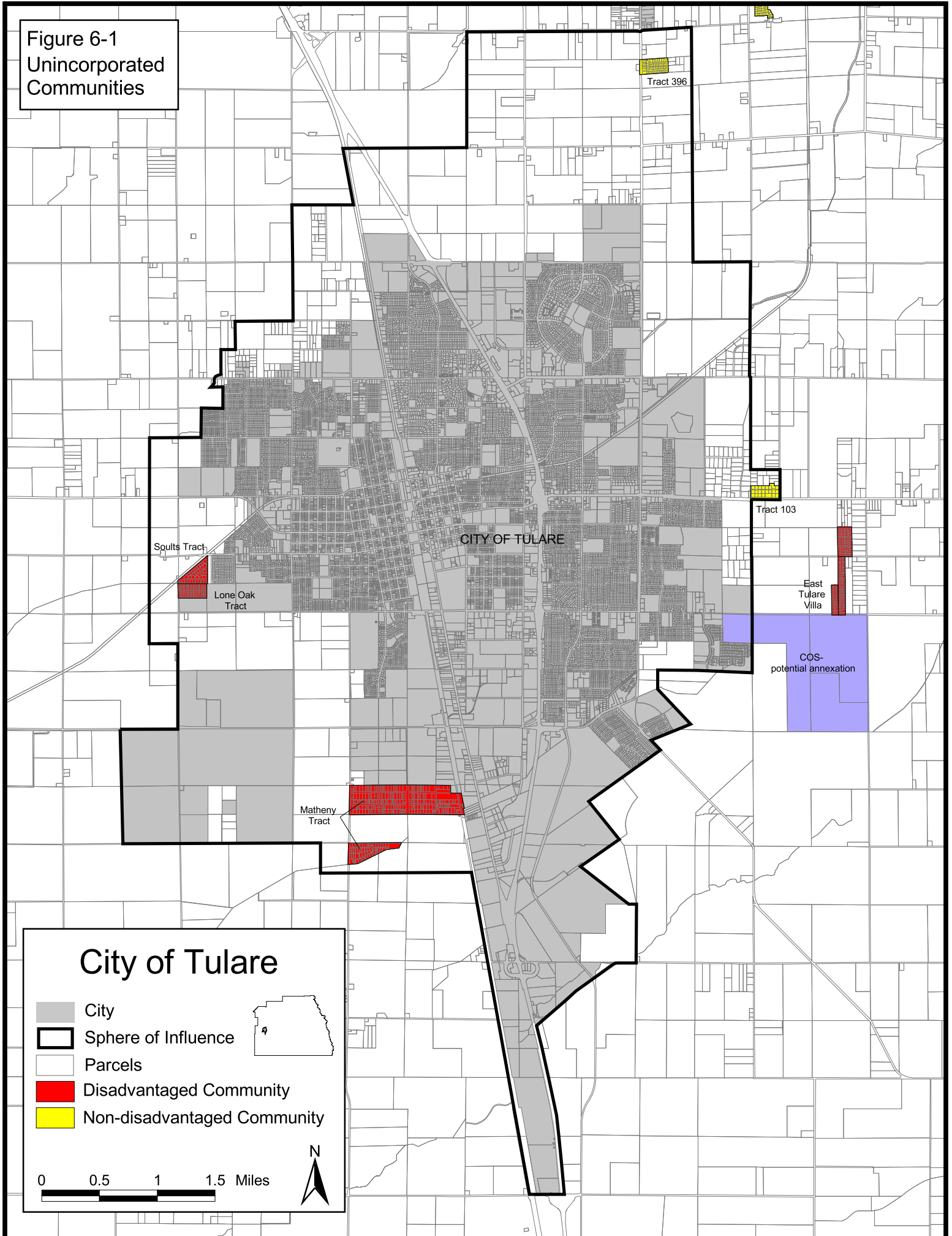
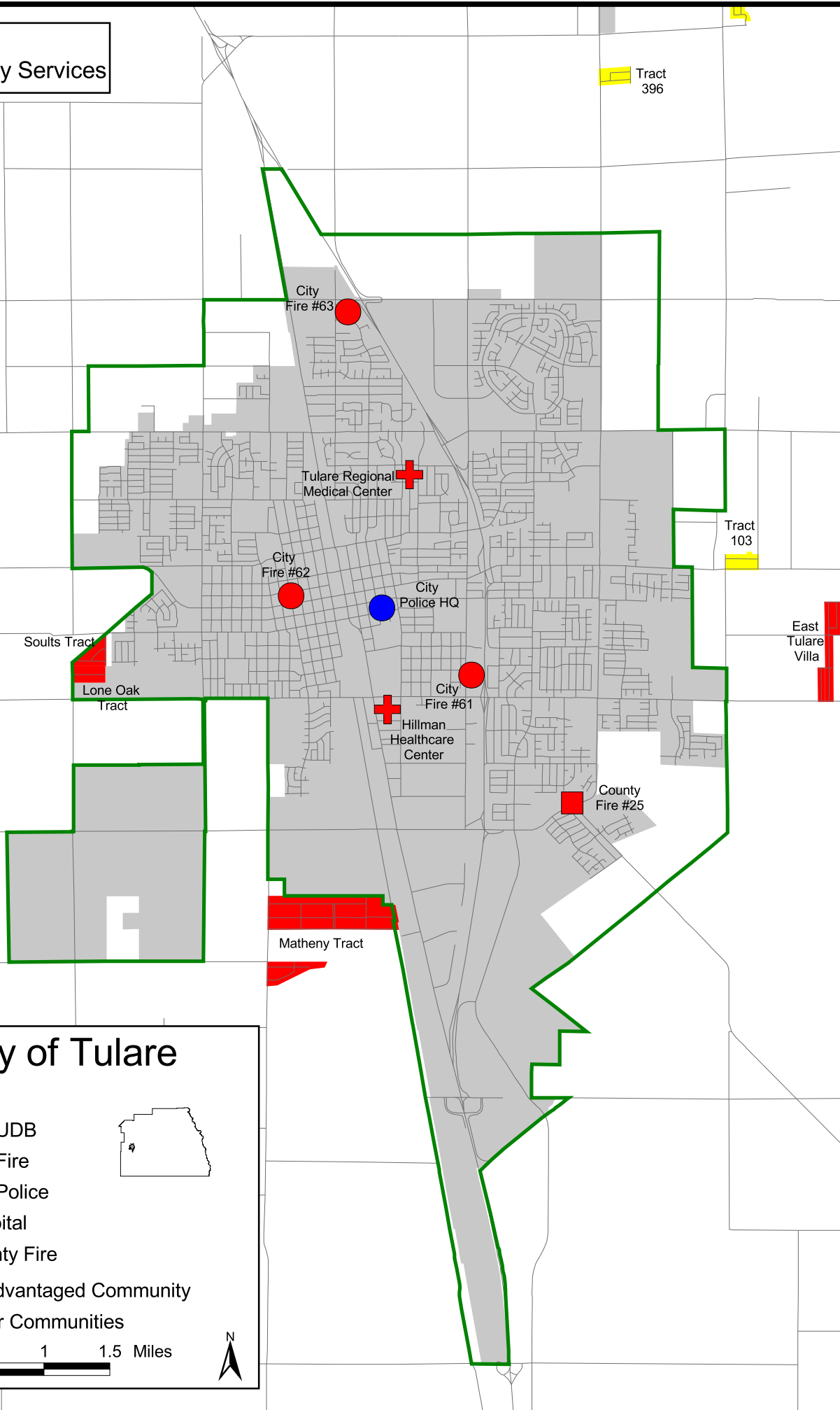




Figure 6-2  
Emergency Services



## City of Tulare

- City
- City UDB
- City Fire
- City Police
- Hospital
- County Fire
- Disadvantaged Community
- Other Communities

0 0.5 1 1.5 Miles



**Figure 6-3**  
**Urban Boundaries**

