



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

FETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: December 15, 2015

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010				

SUBJECT: Amendments to the Tulare County Ordinance Code Pertaining to Speed Limits

REQUEST(S):

That the Board of Supervisors:

On December 15, 2015:

1. Introduce and waive the first reading of the Ordinance amending Article 3 in Chapter 1 of Part III of the Tulare County Ordinance Code, pertaining to speed limits;
2. Set the second reading for January 5, 2016;
3. Direct the Clerk of the Board to prepare and publish a summary and post a certified copy of the proposed Ordinance at least five (5) days prior to adoption in accordance with Government Code Section 25124(b)(1);

On January 5, 2016:

4. Waive the second reading and adopt the Ordinance amending Article 3 in Chapter 1 of Part III of the Tulare County Ordinance Code, pertaining to speed limits; and
5. Direct the Clerk of the Board to publish a summary and post a certified copy of the Ordinance within fifteen (15) days after adoption in accordance with Government Code Section 25124(b)(1).

SUBJECT: Amendments to Tulare County Ordinance Code Pertaining to Speed Limits

DATE: December 15, 2015

SUMMARY:

The California Vehicle Code (CVC) governs speed limits in California. Per the requirements of CVC Section 40802, to ensure that speed limits are not illegal speed traps, local authorities must conduct an Engineering and Traffic Survey (E&TS) every five years to justify existing speed limits. CVC Section 627 requires that these surveys include all of the following: 1) prevailing speeds as determined by traffic engineering measurements; 2) accident records; and 3) highway, traffic, and roadside conditions not readily apparent to the driver.

After a speed survey has been completed, the California Manual on Uniform Traffic Control Devices (MUTCD-CA) establishes guidelines for setting speed limits on the basis of an E&TS. The MUTCD-CA standard states: "When a speed limit is to be posted, it shall be established at the nearest 5 mph increment of the 85th percentile speed of free-flowing traffic" with the exception that "The posted speed limit may be reduced by 5 mph from the nearest 5 mph increment of the 85th percentile speed, in compliance with CVC section 627 and 22358.5." The standard further states "If the speed limit to be posted has had the 5 mph reduction applied, then the E&TS shall document in writing the condition and justification for the lower speed limit and be approved by a registered Civil or Traffic Engineer."

While updating the Engineering and Traffic Studies it was determined that several speed zone segments should be adjusted to include recently completed roadway improvement projects. Additionally the MUTCD-CA recommends a minimum segment length of one-half mile for each individual speed zone segment. In an effort to combine several of the shorter segments, as well as to incorporate some recent completed construction projects, some speed zone segments have been combined or adjusted. Adjustments to the speed zone segments that do not change the posted speed limits within the segments include the following:

3-01-1155 TERRA BELLA:

Road 236 From 1,000 feet south of Avenue 92 to a point 1,000 feet north of Avenue 96

3-01-1180 VISALIA AREA:

Road 108 From the City Limits of Tulare to the City Limits of Visalia

Road 156 From 600 feet south of Avenue 295 to Avenue 296

As a result of the segment zone adjustments, several segments are being recommended for removal from the Ordinance. These changes have come as a result of several smaller speed zone segments being incorporated into larger speed zone segments. The speed zone segments recommended for **removal** are as follows:

SUBJECT: Amendments to Tulare County Ordinance Code Pertaining to Speed Limits

DATE: December 15, 2015

3-01-1155 TERRA BELLA:

Road 236 From a point 500 feet south of Avenue 92 to Magnolia Avenue

3-01-1175 TULARE AREA:

Road 108 From 2,600 feet south of Avenue 264 to 1,300 feet south of E. Pacific Avenue

Road 108 From 1,300 feet south of E. Pacific Avenue to the Tulare City Limits

3-01-1180 VISALIA AREA:

Road 108 From the Visalia City Limits to 1,300 feet north of Avenue 272

Road 156 From Avenue 295 to the Tulare Irrigation Canal

At the public's request, an E&TS has been conducted in the Cutler-Orosi area on Avenue 413 between Road 124 and Road 128 (State Route 63). Currently the speed limit is not posted and the prima facie speed limit is 55 miles per hour (mph). A speed study of the segment has been conducted and the results show an 85th percentile speed of 41 mph. The segment consists of primarily residential properties with the elementary school grounds backing up to the north side of the street. Additionally, there is an apartment complex and a community post office located towards the east end of the zone. Due to the nature of the facilities located around and along the speed zone segment there is often a significant amount of pedestrian traffic walking along and crossing the street throughout the segment. Due to the heavy pedestrian traffic present within the segment, a 5 mph reduction in the observed 85th percentile speed is justifiable. Therefore, it is proposed to establish Avenue 413 between Road 124 and Road 128 (State Route 63) as a new speed zone segment and post the speed limit at 35 mph.

Finally, previous ordinance amendments have included inadvertent typographical errors and omissions. This amendment corrects those errors without any changes to the speed limit or the boundaries of the speed zone segments. The corrections are as follows (underlined):

3-01-1065 DELANO AREA:

County Line Avenue From Road-Diagonal 144 to Road 152
Road (Avenue 0)

County Line Avenue From Road 152 to Road 156
Road (Avenue 0)

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DATE: December 15, 2015

3-01-1120 PLAINVIEW:

Road 196 From ~~Road 196 from~~ 300 feet south of Avenue 194 to a point 300 feet north of Avenue 196

Avenue ~~196492~~ From Road 196 to a point 300 feet east of Road 198

FISCAL IMPACT/FINANCING:

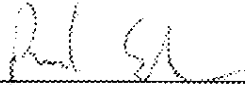
There is no net cost to the County General Fund.

The Transportation Division of the Resource Management Agency will be responsible for replacing or relocating the existing speed limit signs. The anticipated cost of this action is \$3,000 which is included in the FY 2015/2016 Roads Budget.

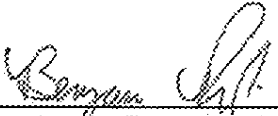
LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Strategic Initiative 1: Safety and Security includes as a goal to improve and maintain adequate transportation infrastructure. This action fulfills the goal by updating the County Ordinance as it pertains to speed zones.

ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E. 12/2/15
Chief Engineer Date



Benjamin Ruiz Jr., S.E., P.E. 12-24-15
Assistant Director – Public Works Date

BR:jw

cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) : Attachment A - Draft Ordinance
Attachment B – Cutler-Orosi Vicinity Map
Attachment C – Ordinance Summary

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF AMENDMENTS)
TO THE TULARE COUNTY ORDINANCE) Resolution No. _____
CODE PERTAINING TO SPEED LIMITS) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD DECEMBER 15, 2015,
BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Introduced and waived the first reading of the Ordinance amending Article 3 in Chapter 1 of Part III of the Tulare County Ordinance Code, pertaining to speed limits;
2. Set the second reading for January 5, 2016; and
3. Directed the Clerk of the Board to prepare and publish a summary and post a certified copy of the proposed Ordinance at least five (5) days prior to adoption, in accordance with Government Code Section 25124(b)(1).

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF AMENDMENTS)
TO THE TULARE COUNTY ORDINANCE) Resolution No. _____
CODE PERTAINING TO SPEED LIMIT) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JANUARY 5, 2016, BY THE
FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Waived the second reading and adopted the Ordinance amending Article 3 in Chapter 1 of Part III of the Tulare County Ordinance Code, pertaining to speed limits; and
2. Directed the Clerk of the Board to publish a summary and post a certified copy of the Ordinance within fifteen (15) days after adoption in accordance with Government Code Section 25124(b)(1).

Attachment A

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER 1 OF PART III
OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO SPEED LIMITS.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS
FOLLOWS:

Section 1. Subsection (e) of section 1060 of Article 3 in Chapter 1 of Part III of the
Ordinance Code of Tulare County is hereby added, to read as follows:

3-01-1060 CUTLER-OROSI:

(e) Avenue 413	From Road 124 to State Route 63	35 MPH
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Section 2. Subsection (a) of section 1065 of Article 3 in Chapter 1 of Part III of the
Ordinance Code of Tulare County is hereby amended to read as follows:

3-01-1065 DELANO AREA:

(a) County Line Road (Avenue 0)	From Diagonal 144 to Road 152	40 MPH
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(b) County Line Road (Avenue 0)	From Road 152 to Road 156	50 MPH
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Section 3. Section 1120 of Article 3 in Chapter 1 of Part III of the Ordinance Code of
Tulare County is hereby amended to read as follows:

3-01-1120 PLAINVIEW:

(a) Road 196	From 300 feet south of Avenue 194 to a point 300 feet north of Avenue 196	35 MPH
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(b) Avenue 196	From Road 196 to a point 300 feet east of Road 198	35 MPH
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Section 4. Section 1155 of Article 3 in Chapter 1 of Part III of the Ordinance Code of Tulare County is hereby amended to read as follows:

3-01-1155 TERRA BELLA:

- | | | | |
|-----|-----------|---|--------|
| (a) | Avenue 95 | From State Route 65 to Road 236 | 40 MPH |
| (b) | Avenue 95 | From Road 236 to Road 238 | 35 MPH |
| (c) | Avenue 95 | From Road 238 to Road 248 | 45 MPH |
| (d) | Road 236 | From 1,000 feet south of Avenue 92 to a point 1,000 feet north of Avenue 96 | 35 MPH |

Section 5. Section 1175 of Article 3 in Chapter 1 of Part III of the Ordinance Code of Tulare County is hereby amended to read as follows:

3-01-1175 TULARE AREA:

- | | | | |
|-----|-----------------|----------------------------------|--------|
| (a) | Bardsley Avenue | From West Street to Pratt Street | 45 MPH |
|-----|-----------------|----------------------------------|--------|

Section 6. Section 1180 of Article 3 in Chapter 1 of Part III of the Ordinance Code of Tulare County is hereby amended to read as follows:

3-01-1180 VISALIA AREA:

- | | | | |
|-----|------------|--|--------|
| (a) | Avenue 296 | From Road 152 to 600 feet east of Road 158 | 45 MPH |
| (b) | "K" Road | From the City Limits of the City of Visalia east of Santa Fe Road to the City Limits of the City of Visalia east of Burke Street | 40 MPH |
| (c) | Road 108 | From the City Limits of Tulare to the City Limits of Visalia | 60 MPH |
| (d) | Road 156 | From 600 feet south of Avenue 295 to Avenue 296 | 35 MPH |

Section 7. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof [a summary] shall be published once in the Visalia Times-Delta, a newspaper printed and published in the County of Tulare, State of California, together with the names of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the _____ day of _____, 20__, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

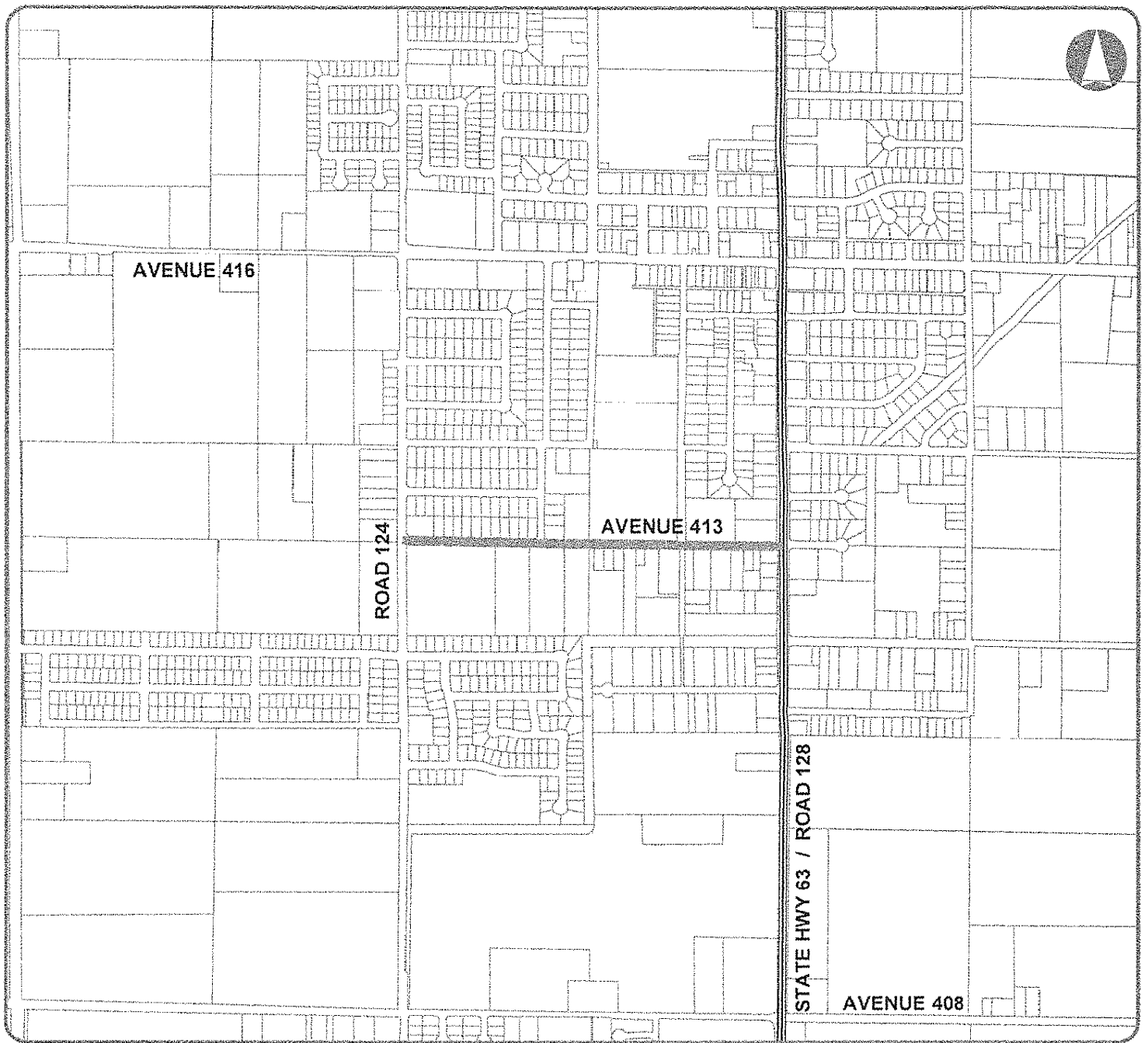
COUNTY OF TULARE

By: _____
Chairman, Board of Supervisors


ATTEST: MICHAEL C. SPATA
County Administrative Officer/
Clerk of the Board of Supervisors

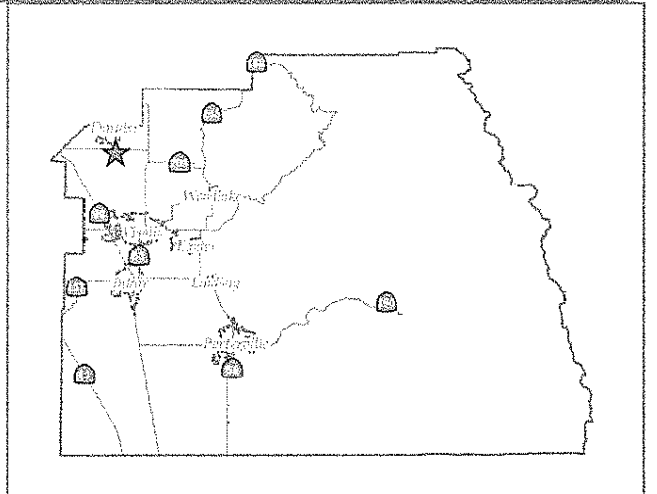
By: _____
Deputy Clerk

Attachment B



Legend

 Reduce Speed limit to 35MPH



Attachment C

ORDINANCE NO. _____

PURSUANT TO GOVERNMENT CODE SECTION 25124(b)(1), THE FOLLOWING IS A SUMMARY OF AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER 1 OF PART III OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO SPEED LIMITS.

SUMMARY OF PROPOSED ORDINANCE

The proposed ordinance will change speed limits in various locations in the unincorporated areas of Tulare County. It also corrects certain typographical errors and/or omissions currently in Part III, Chapter 1, Article 3.

The ordinance herein summarized will be considered by the Board of Supervisors of the County of Tulare, State of California, on December 15, 2015, at a regular public meeting of said Board. At least five (5) days prior to December 15, 2015, a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors and shall be available for public inspection at that location.

COUNTY OF TULARE

By: _____
Chairman, Board of Supervisors

ATTEST: MICHAEL C. SPATA
County Administrative Officer/
Clerk of the Board of Supervisors

By: _____
Deputy Clerk