



**Resource Management  
Agency  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One  
PETE VANDER POEL  
District Two  
AMY SHUKLIAN  
District Three  
EDDIE VALERO  
District Four  
DENNIS TOWNSEND  
District Five

**AGENDA DATE:** August 18, 2020 – REVISED

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:** Approve Operations and Maintenance Agreement with the City of Visalia

**REQUEST(S):**  
That the Board of Supervisors:

1. Approve an Operations and Maintenance Agreement with the City of Visalia for a portion of Avenue 288 from Road 68 easterly to the alignment of Road 76 effective upon approval by the Board of Supervisors; and
2. Approve contribution of funds in an amount not to exceed \$200,000 for road reconstruction of Avenue 288 from Road 68 easterly for 2,690 feet; and
3. Authorize the Chair of the Board of Supervisors to execute the Operations and Maintenance Agreement with the City of Visalia on behalf of the County of Tulare.

**SUMMARY:**  
The County of Tulare received a request from the City of Visalia for the County to consent to the City’s construction of certain roadway improvements on Avenue 288 from Road 68 easterly to the alignment of Road 76 on the north side of the City’s wastewater treatment facility (see Attachment A for location).

According to the Streets and Highways Code, Sections 1680-1682, Counties are authorized to contribute money for the “... construction, improvement, maintenance, repair, or altering of all or any part of any street within a city or extending along or across the boundary of a city.”

**SUBJECT:** Approve Operations and Maintenance Agreement with the City of Visalia  
**DATE:** August 18, 2020

In general, the Operations and Maintenance Agreement establishes the following:

- The County is removed from any oversight on the project. The County would not review the plans, would not issue an encroachment permit for the project, and would not inspect the construction activities; and
- The County would be responsible to contribute \$200,000 towards the reconstruction of Avenue 288 scheduled for construction in fiscal year 20/21; and
- The County would be responsible to contribute funds in the future to pay for half of the reconstruction/rehabilitation work if and when deemed necessary, but in no event less than twenty (20) years from completion of current project.
- The City will indemnify the County for operations of the roadway segment.

The agreement becomes effective upon the date of County approval and does not terminate until the right of way is annexed by the City of Visalia. The indemnification provisions of the agreement continue beyond the term of the agreement.

The Operations and Maintenance Agreement indemnifies the County from all actions resulting from constructing the improvements, and removes any obligation for maintenance of the improved roadway. The County's share of the roadway cost has been negotiated and established with the City of Visalia based on a fair share percentage and the overall estimated project cost.

**FISCAL IMPACT/FINANCING:**

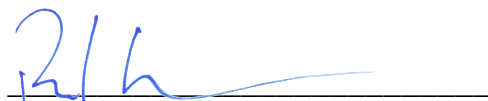
No net County cost to the General Fund.

Costs to the Road Funds are \$200,000 plus minor costs for staff time to negotiate and prepare agreement and future road reconstruction costs pursuant to agreement. These costs will be somewhat offset by the conditions of the agreement in which the City of Visalia will cover miscellaneous repairs and roadway management until such time that a future rehabilitation is required (approximately 20 years).

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The Safety and Security Initiative goals of improve and maintain adequate transportation infrastructure as well as provision of adequate facilities for protection of the public are enabled by this action. This is achieved by working collaboratively with the City of Visalia to reconstruct a County roadway leading to a City owned facility.

**ADMINISTRATIVE SIGN-OFF:**



Reed Schenke, P.E.  
Director

**SUBJECT:** Approve Operations and Maintenance Agreement with the City of Visalia  
**DATE:** August 18, 2020

cc: County Administrative Office

Attachment(s): Attachment A – Vicinity Map  
Attachment B – Operations and Maintenance Agreement

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

IN THE MATTER OF APPROVE ) Resolution No. \_\_\_\_\_  
OPERATIONS AND MAINTENANCE ) Agreement No. \_\_\_\_\_  
AGREEMENT WITH THE CITY OF VISALIA )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD AUGUST 18, 2020, BY  
THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

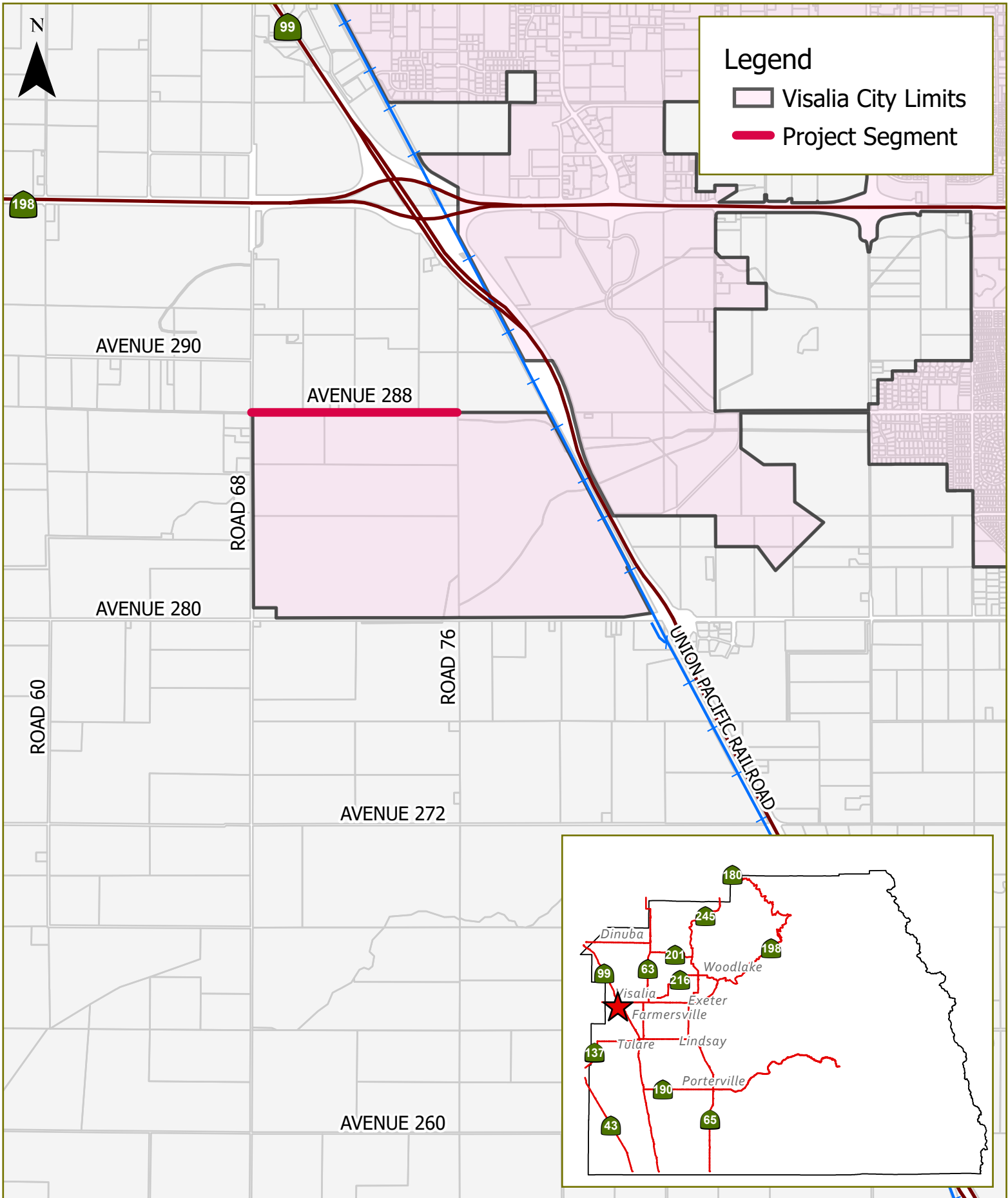
BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Approved an Operations and Maintenance Agreement with the City of Visalia for a portion of Avenue 288 from Road 68 easterly to the alignment of Road 76 effective upon approval by the Board of Supervisors; and
2. Approved contribution of funds in an amount not to exceed \$200,000 for road reconstruction of Avenue 288 from Road 68 easterly for 2,690 feet; and
3. Authorized the Chair of the Board of Supervisors to execute the Operations and Maintenance Agreement with the City of Visalia on behalf of the County of Tulare.

## **Attachment A**

### **Vicinity Map**



**Legend**

- Visalia City Limits
- Project Segment

