

Visalia City Council Action Agenda

For the regular meeting of: Tuesday, February 20, 2007

Location: City Hall Council Chambers

Mayor: Jesus J. Gamboa
Vice Mayor: Greg Kirkpatrick
Council Member: Greg Collins
Council Member: Donald K. Landers
Council Member: Bob Link

All items listed under the Consent Calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion on any item on the Consent Calendar, please contact the City Clerk who will then request that Council make the item part of the regular agenda.

5:00 p.m. SPECIAL PRESENTATIONS/RECOGNITION

Track 1

Recognition of Eric Bush, Fire Department Employee of the Year.

Chief Charlie Norman presented Eric Bush as the Fire Department Employee of the Year. Council presented Eric Bush with a Resolution of Commendation.

WORK SESSION AND ACTION ITEMS (as described)

Public Comment on Work Session Items

5:15 p.m.

Presentation to Council of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the Fiscal Year ending June 30, 2005."

Track 2
GK/DL 5-0
Item 1
accepted as
presented

1. Receipt of the Comprehensive Annual Financial Report (CAFR) for the City of Visalia, the Single Audit Report, and the Component Unit Financial Statements for the Redevelopment Agency of the City of Visalia for the 2005-06 fiscal year.

Eric Frost, Administrative Services Director and Tim Fosberg, Financial Analyst gave a PowerPoint presentation overview of the comprehensive Annual Financial Report (CAFR) and the Single Audit Report, and the Component Unit Financial Statements for the Redevelopment Agency for 2005-06. Recommendations were to 1) review the Solid Waste Rate Structure; 2) Monitor Impact Fees; and 3) Plan for RDA debt sunsets. Council accepted the reports as presented.

** The time listed for each work session item is an estimate of the time the Council will address that portion of the agenda. Members of the public should be aware that the estimated times may vary. Any items not completed prior to Closed Session may be continued to the evening session at the discretion of the Council.*

Track 3

ITEMS OF INTEREST

Councilman Collins asked that at the Joint Council/Planning Commission meeting on February 24th, the council and commission discuss suggested strategies for urban infill.

Mayor Gamboa reported that he toured the new Food 4 Less store and was very impressed. The store will hire 70 new employees.

Councilman Landers asked council to add an item to the next agenda regarding possible funding for the Saint Patrick’s Day Parade.

CLOSED SESSION

6:00 p.m. (Or, immediately following Work Session)

- 2. *Item removed at the request of staff*
- 3. Conference with Legal Counsel – Existing Litigation (Subdivision (1) of Section 54956.9 GC)
Name of Case: Linderman v. City; TCSC Case No. 06-221372
- 4. Conference with Legal Counsel Anticipated Litigation - Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC - one potential case
- 5. *Item removed at the request of staff*
- 6. Conference with Real Property Negotiators (G.C. §54956.8)
Property: Approximately 122 acres bounded generally by Walnut on the north, Shirk on the East, Caldwell on the South and Aviation Drive on the west: APN: 119-021-007,008,010,016, & 018
Under Negotiation: Consideration and approval of appraisal; Authority to negotiate price, terms and conditions of potential purchase and lease
Negotiating Parties: Steve Salomon, Mario Cifuentez, Eric Frost, Colleen Carlson, Clarence Faria
- 7. Conference with Real Property Negotiators (G.C. §54956.8)
Property: Right of way acquisition from a portion of a parcel located at the southwest corner of Riggin Avenue and Demaree Street (APN 077-180-011) for the widening of Riggin Avenue associated with the commercial development within The Village at Willow Creek Specific Plan area
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Andrew Benelli, Donald A. Joseph

Track 4

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Mike Hand, First Assembly of God

CITIZENS REQUESTS - This is the time for members of the public to comment on any matter

within the jurisdiction of the Visalia City Council. This is also the public's opportunity to request that a Consent Calendar item be removed from that section and made a regular agenda item for discussion purposes. Comments related to Regular or Public Hearing Items listed on this agenda will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight. In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (speaker timing lights mounted on the lectern will notify you with a flashing red light when your time has expired). Please begin your comments by stating and spelling your name and providing your address.

Track 4

Lalie Malino, 4015 W. Woodside Court, thanked the Convention Center staff for their help with the recent Freeze Relief event that was held there.

Harold Giffin, 2459 N. Oak Sp. 130, Tulare, presented the Council a petition with 300 signatures of persons who do not want the City to change its policy for use of the Visalia Senior Center.

The following persons spoke against changing the policy to use the Visalia Senior Center: Kay Knox, 910 S. Court Street; Peggy Johnson, 3032 W. Green Oaks Dr.; Tom Lewis, 4211 W. Prospect; Sharon Mullins, 2231 E. College; Donna Mohnike, 1049 S. Demaree; Lois Hiebsch, 3900 W. Tulare Ave. #11; Hall Smith, 916 N. Linwood; Dale Heflinger, 919 S. Redwood; Robert Lawdermilk, 5148 W. Feemster Court.

Amy Shucklian, Parks and Recreation Commission, updated the Council on the Commission's intent to form a sub-committee to look into the issues brought up tonight and would welcome a joint work session to discuss this with council.

Kimberly Tyler, 2530 E. Feemster, spoke as representative of the residents of Lover's Lane and the East Gate Manor Subdivision. They are concerned about a proposed new office complex being built in their neighborhood, specifically a social security office building. Mike Olmos, Assistant City Manager, met with the group to further understand their concerns and see what resolutions can be offered.

Jerry Bedoe, S. Spruce, spoke in total opposition of any federal building being built in his neighborhood and asked this item be put on the agenda for further discussion.

Council Comments: Council commented that the issue caught them off-guard. The senior center is an important part of the community and the Council is supportive of the Senior Center. The Council is hopeful that the Parks and Recreation Commission can work out a resolution with the seniors, and the Council is not supportive of a fee increase.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Councilman Landers asked to pull items l and d to be discussed separately.

Track 5
GK/DL
remainder
of Consent
items
approved
5-0.

- 8. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.
 - a) Authorization to read ordinances by title only.
 - b) Receive Planning Commission Action Agenda for the meeting of February 12, 2007.

- c) Approve a Mutual Aid Agreement with the Tulare County Office of Emergency Services for use during disasters. (Tulare County Regional Emergency Management Mutual Aid Agreement)
- d) Authorization for City Manager to enter into a contract with Irwin Telescopic Seating Company for the purchase and installation of raised platform telescopic seating.

DL/GK 5-0
Item 8 d
approved.

Wally Roeben, Convention Center manager, reported that three companies submitted proposals for the seating. Irwin Telescopic has been selected for the best product.

- e) Second Reading of Ordinance for Change of Zone No. 2006- 04: A request by Visalia Land Company, Inc. and the City of Visalia to change the zoning from R-1-6 (Single-Family Residence, 6,000 sq.ft. minimum lot size) to R-M-2 (Multi-Family Residential. one residence per 3,000 sq.ft. of lot area) on 17.5 acres. The site is located on the north side of Myrtle Ave. between Linwood and Chinowth Streets, and the east and west sides of Chinowth St. from 500 feet south of Noble Avenue to approximately 1,160 feet south of Noble Avenue APNs: Visalia Land Co., Inc. - 087-060-007,008,009, and 010, City of Visalia - 087-060-001, 002, 004, 006, 011, 012, 013, 014, 024, and 025, 087-090-015,016,017,018,019,020,021, 022,023,025,028,030, 031,032, and 033. **Ordinance No. 2007-03 required.**
- f) Authorization to initiate a Proposed Zoning Text Amendment Regarding Fast Food with and without drive-through for the Light Industrial Zone (VMC Sec. 17.32.161)
- g) *Item removed at the request of staff*
- h) *Item removed at the request of staff*
- i) Award a contract for the Mineral King Avenue at Bridge Street and Noble Avenue at Bridge Street Traffic Signal Modification
- j) Authorization to award RFB # 06-07-40, "Annual Contract for Supply and Delivery of Sodium Bisulfite" to Basic Chemical Solutions at a cost of approximately \$125,000 per year.
- k) Adoption of Resolution 2007-15 authorizing the City Manager to sign plan amendments adopting the City's updated 457 Deferred Compensation Plan Document with Loan Provisions. **Resolution 2007-15 required.**
- l) Recommendation to reject bids received for the improvements at Village Park/Wittman Center and to revise and reduce the project scope before re-bidding the project.

DL/GK 5-0
Item 8l
approved

Vince Elizondo asked Council to reject bids because they were too high. Greg Kirkpatrick asked that staff bring this back in a Work Session item of the project differs from the original that Council approved.

Authorization to file the final Notice of Completion on the following:

- m) Notice of Completion for Ashley Grove, Unit No. 4 containing 12 multi-family lots that contain 52 units, located at the northwest corner of Ferguson Avenue and County Center Street.

- n) Notice of Completion for the Oak Avenue Street Improvement Project (Santa Fe to Tipton Streets) Project No. 1111-00000-7200000-0-9682-2005, with the final contract amount of \$508,558.71; and appropriate \$105,000 from the Gas Tax Fund (1111) as supplemental funding for the project.
 - o) Request authorization to file a Notice of Completion for Project No. 1241-00000-720000-0-9810; Visalia Parkway Street Construction Project located between Demaree Street and Dans Street. (Final Cost \$ 931,319.24)
9. Second Reading of Ordinance 2007-02 amending the City's Oak Tree Ordinance (Chapter 24 of Title 12 of the Municipal Code)

Track 5
GK/BL 5-0
Item 9
approved

Council asked for clarification on procedures for implementing the Ordinance. Steve Salomon said the Oak Tree Mitigation Policy will be brought back to Council at another meeting.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Saturday, February 24, 2007 – Joint City Council/Planning Commission (8-noon Conv. Center)

Monday, March 5, 2007 - City Hall Council Chambers

Monday, March 19, 2007 – City Hall Council Chambers

Monday, March 26, 2007 – Joint City Council/Planning Commission

Work Session 4:00 p.m.

Regular Session 7:00 p.m.

City Hall Council Chambers

707 West Acequia Avenue

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

Submitted by Donjia Huffmon, Chief Deputy City Clerk