

Visalia City Council Action Agenda

For the regular meeting of: Monday, April 16, 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.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Public Comment on Work Session Items -

Track 1

GK/DL 3-2
Approved
Gamboa - No
Collins - No

1. Review and consideration of a "Concept Phasing Plan" for the proposed Lowery Ranch Master Plan/Specific Plan

Fred Brusuelas presented. Staff recommended approval of the concept. Robert Dowds, Mangano homes was available to address issues discussed by Council such as the Modoc Basin, timing of specific plan for the urban core, and project phasing. Councilman Collins disagrees with proposed phasing as land within the city limits should be developed first and phases 3 and 4 should be completed before phases 1 and 2. Mayor Gamboa does not support because there is a lot of infill to be developed within the city limits and feels annexing is premature. Councilman Kirkpatrick motioned to approve the "Concept Phasing Plan" for the Lowery Ranch Project subject to: 1) Completion of Development Agreement and 2) urban design guidelines for a specific plan. Approved 3-2.

Track 2

No action
taken

2. Review draft 2007-08 Action Plan budget for the use of the Community Development Block Grant (CDBG) and HOME Investment Partnership Grant Funds (HOME) from the Federal Government through the Department of Housing and Urban Development (HUD), prior to the Public Hearing before City Council on May 7, 2007.

Eric Frost and Rhonda Haynes presented the draft action plan. Public Comments related to Code Enforcement, Housing, and Parking Structures were heard by Mauna Ekema, CVC Housing. Councilman Link questioned relocation costs for housing that has been red-tagged. Councilman Collins said he would like to see additional emphasis on rehabilitation and for staff to look at other housing programs. Councilman Landers discussed adding money for the senior center and Councilman Kirkpatrick sees the need for monies for foster care transition to community. No action taken, the item will come before Council in a public hearing on May 7, 2007.

3. Public Safety Communication Services

Police Chief Bob Carden presented and recommended that the City move forward with the Public Safety Master Plan to include: 1) planning process for constructing a new Public Safety Headquarters/911 center; 2) providing contracted dispatch services for those entities interested in a partnership; 3) identify PSSI as the vendor for the dispatch and MDT software.

Councilman Landers expressed concern about single-sourcing PSSI as the vendor for the software and is not supportive of a single source quote. Councilman Link and Gamboa also expressed concern about the procurement policy and would like to see a quote from another vendor. Councilman Kirkpatrick said ADSI was given a chance to participate and chose not to. Kirkpatrick is disappointed that surrounding cities are not interested in a consolidated system at this time, but we need to move forward to update our system and should design a scalable system and facility and continue to look for other agencies to partner with.

Councilman Landers motioned that staff move forward with the implementation of the Public Safety Master Plan with the provision that staff continue to work with PSSI for the best available pricing and bring the contract back to council for approval at which time council will either accept PSSI contract or call for a RFP.

** 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.*

ITEMS OF INTEREST

CLOSED SESSION

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

4. Conference with Real Property Negotiators

Property: City owned property located on the north side of Caldwell Avenue (Avenue 280) between Highway 99 and Road 68

Under Negotiation: Terms and conditions of purchase and Sale Agreement regarding Conservation Easement

Negotiators: Steve Salomon, Colleen Carlson, North Visalia Investments, LLC

5. Conference with Real Property Negotiators

Property: Part of APN 085-010-093 for riparian setback on south side of -Mill Creek east of Shirk Road

Under Negotiation: Price, terms, conditions of potential purchase

Negotiators: Steve Salomon, Don Stone, Paul Shepard, Les Peterson, Lennar Homes

6. Conference with Real Property Negotiators

Property: APN 126-050-018 for riparian setback on Packwood Creek at Woodland Street

Under Negotiation: Price, terms, conditions of purchase

Negotiators: Steve Salomon, Don Stone, Paul Shepard, Sheila Plane, DBO Development No. 29 LLC

7. Conference with Real Property Negotiators
Property: 440 N. Giddings
Under Negotiation: Price, terms, conditions of lease
Negotiators: Steve Salomon, Carol Cairns, Tom Seidler
8. Conference with Real Property Negotiators
Property: APN 085-010-096 - Vacant Land Parcel located on South side of Hillsdale Drive at Tommy Street.
Under Negotiation: Price, terms, conditions of potential purchase
Negotiators: Steve Salomon, Michael Olmos, Mangano Homes, Inc.
9. Conference with Labor Negotiators (54957.6a)
Agency Designated Representatives: Eric Frost, Jim Harbottle, Janice Avila
Employee organization: All bargaining units (Groups A, B, E, G, M, and unrepresented

Track 4

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor David Miller, Gateway Church

SPECIAL PRESENTATIONS/RECOGNITION - Proclamation presentation declaring Saturday, April 21, 2007, Happy Hearts Day.

Councilman Link presented the proclamation to Skip Nugent. Mr. Nugent said they hope to raise \$60,000 this year with 100% proceeds to benefit Valley Children's Hospital. Mr. Nugent thanked the community for their support.

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.

Abigail Trevino, 4336 W. Monte Vista, said she feels harassed by the Visalia Police Department and the Code Enforcement department. Council directed Lt. Figueroa speak with Ms. Trevino outside council chambers about her issues with the department.

Track 5

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

GK/DL 5-0
remaining
consent
calendar
approved

Councilman Landers pulled for discussion items 10j and 10m. Councilman Collins pulled for discussion items 10i and 10n.

Remaining consent items approved.

10. 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 April 9, 2007.
- c) Authorize the City Manager to execute the Memorandum of Understanding for Police Managers and Supervisors Association (City of Visalia Employee Bargaining Unit Group A) for the period of March 31, 2007 through June 30, 2009.
- d) Introduction of Ordinance No. 2007-06 authorizing the lease of three parcels of property at the Visalia Municipal Airport and authorizing the City Manager to execute a new agreement with Dennis Lipson for the continued operation of the Federal Express facility.
- e) Appointment of Mary Wheeler to the Transit Advisory Committee.
- f) Authorization to send letters of support for SB59 (Cogdill) Reliable Water Supply Bond Act of 2008.
- g) Authorization to bid seven (7) neighborhood park projects without the requirement of payment of established State and Federal Prevailing Wages pursuant to Resolution No. 83-02.
- h) Authorize the Recordation of the Final Map for Park Place 4, located north of Caldwell Avenue, between Pinkham Street and Lovers Lane (16 lots) and the Annexation of Park Place Unit 4 into Landscape and Lighting District No. 04-04, Park Place/Crossroads. APN: 126-840-028, 128-850-028. **(Resolution Nos. 2007-35 and 2007-36 required)**
- i) Award a contract to LDV, Inc. in the amount of \$149,221.00 for the purchase of one Special Weapons and Tactical (SWAT) Team Response vehicle.

Approved to purchase vehicle in the amount of \$149,221 and approve a budget transfer of \$18,221 from asset forfeiture fund.

Item 10i
GK/DL 5-0
Approved

- j) Introduction of Ordinance 2007-07, establishing a public disturbance ordinance by adding chapter 9.32 to Title 9 of the Visalia Municipal Code.

Approved with revisions to pg. 4 of the ordinance. Add to Section B ...within the last 12 months. New section E added...That a report of citations issued and status of accounts receivable should be made to the Council on a quarterly basis and fees should be reviewed as needed and appropriate.

Item 10j
DL/BL 5-0
Approved

- k) Appointment of Evan Long to serve on the Delta Vector Control District Board of Directors.

l) Authorize the Mayor to request the Citizen's Advisory Committee to review the Committee/Commission process and issue a report, with any recommended changes, to the City Council.

m) Authorize City Manager to execute contract agreement with the Downtown Visalians Inc. to provide security and cleaning services for the two Acequia parking structures.

Item 10m
BL/GC 4-1
Approved
Gamboa - No

Discussion regarding installing video cameras at entrance/exits if it becomes necessary.
Discussion regarding increasing attendants more than 8 hours if needed. Police Chief Bob Carden will report back to Council on the number of crimes in parking structures.

n) Authorize the Police Activities League (P.A.L.), to utilize a building for program operations at the recently acquired CalTrans property at 701 E. Race Avenue (APN: 094-100-022)

Item 10n
GC/BL 5-0
Approved

Councilman Collins asked for clarification on the lease and the ability for future developments in the area.

o) Authorization for the City Manager to enter into a contract with HVS International to study the Convention Center operations, prepare a market analysis for future expansion, and calculate the economic impact on the local economy

Authorization to file Notice of Completion on the following:

p) Ashley Grove Unit No. 1, containing 43 single-family lots, located north of Ferguson Avenue between Demaree Street and County Center.

q) Ashley Grove Unit No. 2, containing 15 multi-family lots, located at the northeast corner of Ferguson Avenue and Demaree Street intersection.

r) Project No. 3011-0000-720000- 8017 the Roeben/Ferguson Park Storm Basin.

s) Cameron Avenue and County Center Street Improvement Project, No. 3011-00000-720000-0-9733-2005.

Track 6
Item 11
BL/DL
5-0
Approved

11. Request for City Council to accept and process an annexation and Sphere of Influence Amendment for approximately 480 total acres owned by David & Ana Vargas, located on the west and east sides of Plaza Drive between Avenue 320 and Riggins Avenue inside the Visalia Industrial Park. (APN: 077-100-008, 010, 011)

Brandon Smith presented the item and recommended Council approve staff to begin the annexation process and schedule a public hearing.

Council discussed parcel sizes and whether smaller than 40 acre parcels should be allowed. Patrick Daniels, MSJ Partners, the developer for the property, answered questions posed by Council as to the proposed size of the lots and the intentions with regard to the Williamson Act. David Hernandez, Allen Group, spoke in favor of parcel sizes of 40 acres and above and asked questions about the \$2000 agriculture mitigation fee. David Vargas, property owner, said Council is tying his hands and not allowing him to be competitive.

A motion was made by Councilman Landers and withdrawn.

Councilman Link motioned to authorize staff to initiate the annexation process by developing a pre-annexation development agreement that provides that the property will be developed in stages, with Stage 1 to be the southernmost 160 acres, and Stage 2 to be the northernmost remainder 320 acres. The development agreement will provide that subdivisions of property in stage 1 will be allowed immediately upon annexation, provided 75% of the area is devoted to parcels 40 acres or larger, and 25% of the area is devoted to parcels 10 acres or larger. No subdivision or other development entitlement for the Stage 2 area will be allowed until a master plan is developed and a development agreement approved for that area establishing minimum parcel sizes. All subject to council review and final approval of the pre-annexation development agreement. In addition, Council exercises their protest of the Williamson Act on the southern 160 acres, and there will be no agriculture mitigation fees on the 160 acres unless directed by the project's environmental document in the form of mitigation. Councilman Landers seconded, motion carried 5-0.

12. Staff presentation and City Council discussion and direction regarding overview of Recreation Park Stadium renovation project, infrastructure upgrades, demolition of grandstand berm and rebuilding grandstand at Recreation Park.

Item withdrawn by staff.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, April 30, 2007, 4:00 p.m. – Jt. City Council/Planning Commission – Convention Center

Tuesday, May 1, 2007, 6 p.m. - Joint City Council/VUSD - 5000 W. Cypress

Monday, May 7, 2007 – City Hall Council Chambers

Monday, May 21, 2007 – City Hall Council Chambers

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