

# Visalia City Council Action Agenda

For the regular meeting of: Monday, May 1, 2006

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

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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.

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## WORK SESSION AND ACTION ITEMS (as described)

**4:30 p.m.**

Track 1  
Item 1

### Public Comment on Work Session Items –

1. Tulare County Economic Development Work Program Presentation by Paul Saldana.

At the request of City Manager Steve Salomon this Item is moved to the special meeting date of Monday, May 8, 2006.

Track 2  
Item 2  
DL/BL 4-1  
(JG-No)  
Approved

2. Review the programming phase and estimated cost of the Northwest Fire and Training Facility, and authorize the Construction Manager to move forward with the project.

Doyle Sewell, Fire Battalion Chief introduces item and B.J. Perch, Monique Cayle, and Gus Aiello, Finance Manager and addresses Council's questions & comments posed by Council. A PowerPoint slide presentation outlining the chronology of Measure T monies and funding as it relates to this project was made. Discussion was held concerning the options available for Council's consideration. Councilmember Don Landers recommended Option B implement the 6.4 million plan. Approved.

Track 3  
Item 3  
DL/GK 5-0  
Approved

3. Discussion and Adoption of **Resolution 2006-43** in Support of AB 2174 (Villines) an Amendment to the California Penal Code relating to Court Appearances by Persons Accused of Driving Under the Influence and Authorization for Staff to send Letters of Support to the Appropriate Legislators and Committees.

Assistant City Manager Carol Cairns introduces item for Council's consideration and addresses Council's comments & questions. Councilmember Landers comments on importance of this amendment. Approved.

*\*Any items not completed prior to Closed Session may be continued to the evening session at the discretion of the Council.*

Track 4

## ITEMS OF INTEREST

Adjourn to  
Closed  
Session

**CLOSED SESSION**

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

- 4. Conference with Legal Counsel - Anticipated Litigation (1)  
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
- 5. Conference with Real Property Negotiators  
Property: 409 E. Murray Street (APN: 094-274-003)  
Under Negotiation: Price, terms condition of Purchase and Sale Agreement  
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson; Raul and Estella Miranda,  
Trustees of the Miranda Trust
- 6. Item removed from Agenda.

Reconvene to  
Regular  
Session

**REGULAR SESSION**

**7:00 p.m.**

Track 5

**PLEDGE OF ALLEGIANCE**

**INVOCATION** - Paul Gendron, First Presbyterian Church

**SPECIAL PRESENTATIONS/RECOGNITION**

Proclamation presentation in recognition of World Asthmas Day.

**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.

Michael Renzi & Ricardo Paradez addresses Council regarding Group M Negotiations & invite members to their meeting on 5/3 at 5:30 p.m. Council asked for clarification for the record from Assistant City Attorney Alex Peltzer concerning their invitation & the negotiation process. Council thanked the employees for their comments, but reiterated that they are bound by law from accepting their invitation to attend their meeting.

- 7. **PUBLIC HEARING** - regarding the increase in assessments for the Oakwest #5 Landscape and Lighting Maintenance Assessment District and voting results for the balloted district.

Parks & Recreation staff member Paul Shepard introduces items & addresses Council's questions & comments. Public Hearing Opened; no comments; Public Hearing Closed. Staff directed to tabulate ballots and return with results later in the meeting. Staff return with results of balloting process, 125 ballots were mailed, 91 ballots were received, 76 voted to approve the assessment increase, 14 voted not to approve, and 1 ballot was voided as neither box was checked on the form. Assessment passes. Motion to accept results approved.

*(Upon completion of the public hearing, staff will open & tabulate ballots. The results, if available, may be reported at the end of the Consent Calendar.)*

Track 6 &  
Track 9  
Item 7  
DL/GK 5-0  
Approved

Track 7  
Balance of  
Consent  
Calendar  
Approved  
DL/GK 5-0

**CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION**

None.

- 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) Authorization to appropriate asset forfeiture funds and authorize payment to the U.S. Marshall's Office for expenses and commissions of the shared costs of two seized vehicles in the amount of \$7,697.64.
  - c) Authorization to submit a grant to the Federal Land Management Agency in conjunction with the Sequoia Kings Canyon National Park for transportation funding.
  - d) Adoption of a **Resolution 2005-40** confirming the report of the Chief Building Official regarding levying assessment in the amount of \$8,250.00 for City abatement of a failing lateral sewer line at 617 S. Santa Fe that posed an immediate threat to the neighborhood.
- 9. PUBLIC HEARING - Extension of East Downtown of **Interim Ordinance 2006-03** establishing prohibited and permitted uses and development standards for a portion of the East Downtown Strategic Plan Area (*A 4/5 vote is required to extend this ordinance*) and approval of **Resolution 2006-41** Extending Interim Ordinance 2006-03 for 10 months and 15 days .

Track 8  
Item 9  
DL/GK 5-0  
Approved

Assistant City Manager Michael Olmos introduces item & addresses Council's comments & questions. Approved.

Track 10  
Item 10  
GK/DL 5-0  
Approved

- 10. REGULAR ITEM - Review and approve CAC non-profit funding recommendations and application for funding document.

Finance Manager Gus Aiello introduces item for Council's consideration. Citizen Advisory Committee Member Brian Summers addresses Council's questions & comments. Approved.

**This regular meeting will be adjourned to Monday, May 8, 2006, 5 p.m., at the Visalia Convention for the following item:**

Track 12  
Item 11

- 11. Award a contract for the Visalia Parkway Street Construction Project, located Visalia Parkway from Demaree Street to Dans Lane. Project #1241-00000-720000-0-9810-2005.

Meeting adjourned to Monday, May 8, 2006, 5 p.m., at the Visalia Convention Center as stated for the record.

Track 11

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

Assistant City Attorney Alex Peltzer reports the approval of the Disability Retirement of Troy Alvarado.

**REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS**

None.

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk