

Visalia City Council Action Agenda

For the regular meeting of: Monday, June 5, 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

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.

Item 1 Track 1

Public Comment on Work Session Items –

1. Review of select FY2006-08 Capital Improvement budgets and future Capital Improvement Program (CIP) requests: Waterways 1251; Park & Recreational Facilities 1211; Storm Sewer Construction 1221; Storm Sewer Deficiency 1222; Underground Water Recharge 1224; Community Block Grant 1811; Central Redevelopment District 1931; Storm Sewer Maintenance 4812.

Administrative Services Director Eric Frost presents item for review & discussion. Questions & comments by Council addressed by staff. No action taken.

2. Schedule for review & adoption of the City of Visalia FY 2006-08 operating budget (*written material not available.*)

Item 2 Track 2

Administrative Services Director Eric Frost distributes a memo outlining the proposed budget presentations timelines. Questions & comments by Council addressed by staff. No action taken.

3. Discussion and request for authorization to retain the services of Shute, Mihaly for the purposes of representing the City of Visalia regarding the Williamson Act 1240 Exchange Program.

Item 3 Track 3
GK/GC 4-0-1
(BL-abstained)
Approved

Assistant City Attorney Alex Peltzer presents item for review & discussion. Questions & comments by Council addressed by staff. Vice Mayor Kirkpatrick & Councilmember Collins note that they would like to serve on the committee and Mayor Gamboa indicated he would serve as an alternate. Approved.

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

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 Legal Counsel – Existing Litigation
(Subdivision (a) of Section 54956.9 GC)
Name of Case: Bryan Pinto v. City of Visalia, Case No. F048094
- 6. Conference with Real Property Negotiators
Property: Eastern Portion of APN: 094-285-13
Under Negotiation: Letter of Interest/Potential Purchase and Sale Agreement
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson, Paloma Development Co., Inc.

Reconvene to
Regular
Session
Track 4

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - ~~Floyd Westbrook, Visalia Christian Ministries~~

SPECIAL PRESENTATIONS/RECOGNITION

Resolution of Commendation presentation in recognition of Manuel Vargas recipient of California PAL Male Youth of the Year.

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 5

Peter Johnson – commented on Item 10 Irma St. Annexation, was asked to reserve his concerns for the public hearing.
 Michelle Taylor – comments & offers thanks to the City for their efforts in addressing their flood claims.
 Maria Hernandez – comments & offers thanks to the City for Blues, Brews & BBQ, and hopes it continues.
 Rick Morse – comments on transit issues related to routes, timelines, etc., directed to speak with Deputy City Manager Leslie Caviglia.

7. PUBLIC HEARING - to discuss recommended changes to Landscape & Lighting Maintenance Assessment Districts funding (assessments), and voting results for balloted districts. *(Upon completion of the public hearing, staff will open & tabulate ballots. The results may be reported at a time during the Regular Session deemed appropriate by the Mayor.)*

Item 7 Track 6
Item 7 Track 11
BL/GC 5-0
Approved

Earl Nielsen, Support Services Manager Public Works, introduces item & provided a brief background for Council's consideration. Public Hearing Opened: No Comments; Public Hearing Closed. Staff directed to convene counting ballots. Item adjourned to await results.

Earl Nielsen reports the results of the balloting 7 of the 11 districts balloted passed, with 4 failing to have a majority vote. Questions & comments by Council addressed by Staff. Approved.

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

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Councilmember Landers pulls Item 8b for discussion; Mayor Gamboa pulls Item 8e for discussion; Councilmember Collins pulls Item 8g for discussion.

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.

Item 8b Track 7
DL/GK 5-0
Approved

- b) Authorize the City Manager to execute the Memorandum of Understanding for Group M (Miscellaneous employees represented by the Northern California Carpenter's Union) for the period July 1, 2005 through June 30, 2007.

Human Resources Manager Janice Avila addresses Council's comments & questions. Approved.

- c) Adoption of **Resolution 2006-54** confirming the report of the Chief Building Official regarding levying assessment in the amount of \$3,341.43 for City Abatement of an unsecured residence at 209 N. Lovers Lane with the property owner incarcerated indefinitely.

d) Request authorization to file a Notice of Completion for the following:

1. St. Johns Estates subdivision, containing 21 lots, located at Cain Street between St. Johns Parkway and Ferguson Avenue.

Item 8e Track 7
DL/BL 4-1 (JG-no)
Approved

- e) Consideration to amend the Visalia Auto Plaza - Architectural Design Guidelines, to add a Temporary Fencing Standards section, to allow temporary decorative security fencing, for properties located in the Visalia Auto Plaza on the north side of Camp Drive to Mill Creek, west of Neeley Street, Scott and Associates - agent for Auto Plaza Property owners Andrew Mangano and Frank Surroz.

Planning Staff Paul Scheibel addresses Council's comments & questions. Approved.

- f) Accept Annual Status report of the Visalia Public Finance Authority (VPFA.)

Item 8g Track
7
GC/DL 5-0
Approved

- g) Accept the City of Visalia Cash and Investment Report for the third quarter ending March 31, 2006 and approve **Resolution 2006-52** adopting the City of Visalia’s annually updated Investment Policy and Delegating authority to invest funds for the City to the Administrative Services Director/Treasurer or his/her delegate.

Finance Staff Cass Cook addresses Council’s comments & questions. Approved.

- h) Adoption of **Resolution 2006-51** In support of additional ground water storage, support of Assembly Member Juan Arambula, and authorization for staff to write Letters of Support for SB 902 (Denham) The Upper San Joaquin River Storage and San Joaquin River Restoration Bond Act of 2006.
- i) Item removed from Agenda.

9. PUBLIC HEARING -

Track 8
Item 9a
DL/GK 5-0
Approved
Item 9b
DL/GK 5-0
Approved

- a. Adoption of Negative Declaration No. 2006-19. **Resolution 200649 required. (A separate Motion by the Council is required.)**
- b. Annexation 2006-02 Crenshaw St. Island, initiation of annexation of a County island, generally located north of Mineral King Avenue and east of Crenshaw Street. **Resolution 2006-50 required. (A separate Motion by the Council is required.)**

Special Projects Manager Phyllis Coring introduces item & addresses Council’s comments & questions. Public Hearing Opened: Louis Garay comments in support of annexation, but also expresses his concerns; Public Hearing Closed. Approved.

10. PUBLIC HEARING -

Track 9
Item 10a
GK/DL 5-0
Approved
Item 10b
GK/DL 5-0
Approved

- a. Adoption of Negative Declaration No. 2006-21. **Resolution 2006-47 required. (A separate Motion by the Council is required.)**
- b. Annexation 2005-10 Irma Street, an annexation of a County island, generally located south of Houston Avenue and west of Dunworth Street. **Resolution 2006-48 required. (A separate Motion by the Council is required.)**

Special Projects Manager Phyllis Coring introduces item & addresses Council’s comments & questions. Public Hearing Opened: Peter Johnson comments in support of annexation; Debra Johnson comments in support of annexation, but concerned about safety in the area; Janice Butler & Delores Tucker comment in opposition of annexation due to concerns of potentially losing property due to any street widening; Tulare County Supervisor Phil Cox comments on road repairs in the proposed annexation area; Public Hearing Closed. Approved.

11. PUBLIC HEARING -

Track 10
Item 11a
DL/BL 5-0
Approved
Item 11b
DL/BL 5-0
Approved

- a. Adoption of Negative Declaration No. 2006-16. **Resolution 2006-45 required. (A separate Motion by the Council is required.)**
- b. Annexation 2005-14, West Lovers Lane Island Annexation, an annexation of a County island, generally located south of Noble Avenue and State Route 198, between Lovers Lane and Pinkham Street. **Resolution 2006-46 required. (A separate Motion by the Council is required.)**

Special Projects Manager Phyllis Coring introduces item & addresses Council’s comments & questions. Public Hearing Opened: No comments; Public Hearing Closed. Approved.

Track 12
Item 12
Amended
Motion
GK/DL 5-0
Approved
2nd Motion
GK/GC 4-1
(DL-No)
Approved

12. PUBLIC HEARING - Review proposed biennial adjustments to amend the City's Rates and Fees for fiscal years 06/07 and 07/08. Proposed adjustments include, but are not limited to the following services; administrative, community development, parks and recreation, public safety, and public works. **Resolution 2006-44 required.**

Financial Analyst Tim Fosberg presents item and addresses Council's comments & questions. Public Hearing Opened: No comments; Public Hearing Closed. Councilmember Landers expresses his non-support of the increase in Transit fees. Vice Mayor Kirkpatrick amends the motion to approve Resolution 2006-44 without transit fees included, this was seconded by Councilmember Landers and approved 5-0. A second motion was made by Vice Mayor Kirkpatrick directing staff to draft & return to Council with a separate motion pertaining to transit fees only, this was seconded by Councilmember Collins and approved 4-1 with Councilmember Landers voting no.

Track 13
Item 13
GK/DL 5-0
Approved

13. REGULAR ITEM -Authorization for the City's Representative to the Tulare County Association of Governments to support the proposed county transportation sales tax measure at the June TCAG meeting, providing specific provisions are included in the measure and the implementation plan.

City Manager Steve Salomon introduces item for Council's review & discussion. Deputy City Manager comments on staff report. Tulare County Supervisor Phil Cox comments & addresses comments & questions posed by Council. Approved.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS TO BE REPORTED OUT AT THE END OF THE MEETING BY THE CITY ATTORNEY'S OFFICE:

Track 14

Owner/Claimant's Name	Address	Reason for Claim	Amount	Closing Date	Other Information
Taylor	N/A	Water damage due to flood	\$13,911.50	N/A	Release has been signed by all parties
Higgins/Sterling	N/A	Water damage due to flood	\$19,307.38	N/A	Release has been signed by all parties
Wilson	N/A	Water damage due to flood	\$19,387.41	N/A	Release has been signed by all parties

Buyer	Seller	APN	Address	Closing Date	Reason for Purchase/Sale	Project Manager
Visalia Unified School District	City of Visalia	Portions of 098-070-031, 098-070-022 & 098-070-014	Lovers Lane at Millcreek Parkway	5/24/06	Sale proceeds will go to help fund the Sports Park Project.	Don Stone

Adjourn

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk