

Visalia City Council Action Agenda

For the regular meeting of: Monday, June 19, 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.

Employee Introductions:

Intros
Track 1

Convention Center Manager Wally Roeben introduces Events Coordinator Lacy Horton and Administrative Analyst Mike McCarthy.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Public Comment on Work Session Items -

1. Item removed from agenda.
2. Review of select FY2006-08 Capital Improvement budgets and future Capital Improvement Program (CIP) requests: General Fund 0011; Civic Center Reserve 0013; Sports Complex Reserve 0014; Library Impact Fee 1045; Fire Impact Fees 1061; Sales Tax, Police 1121; Sales Tax, Fire 1122; Convention Center 4131; Valley Oak Golf 4211; Fleet Services 5011; Vehicle Replacement 5012; Information Services 5111.

Item 2
Track 3 & 11

Finance Manager Gus Aiello presents item and addresses questions & comments as posed by Council. *Item trailed to the end of the Regular Session prior to convening for Item 12. No action taken, direction only.

-Convene jointly as the City of Visalia, Visalia Public Finance Authority, and Visalia Redevelopment Agency for the following item:

3. Continued Review of the City of Visalia, Visalia Public Finance Authority, and Visalia Redevelopment Agency FY 2006-08 operating budget.

Item 3
Track 2

*(At the discretion of Council this Work Session Item **may be adjourned** to Tuesday, June 20, 2006, a Regular Adjourned Meeting at 5:30 p.m. at the City Hall Council Chambers, for further discussion, no action to be taken.)*

Administrative Services Director Eric Frost provides a PowerPoint slide presentation outlining the FY 2006-08 operating budget for the City of Visalia. Comments and questions posed by Council are addressed by staff. Comments from interested parties regarding retiree health care were received from Tim Fosberg, Dave Wheeler, Jim Nelson, Dianne Guzman, & Cheryl Jackson.

-Adjourn as the Visalia Public Finance Authority and Visalia Redevelopment Agency remain seated as the Visalia City Council.

**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)

- 4a. Conference with Legal Council - Existing Litigation
(Subdivision (a) of Section 54956.9 GC)
Case Name: City of Visalia v. Jerald Harrah, et al.; TCSC Case No. 04-210016
- 4b. Conference with Legal Counsel - Anticipated Litigation (1)
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)

Reconvene to
Regular
Session
Track 4

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Ron Story, Parkside Chapel

SPECIAL PRESENTATIONS/RECOGNITION

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.

Bill Whitlatch - addresses Council with concerns over return of developer fees regarding Riggin Ranch Subdivision.

Jonathon Burtlow - addresses Council with concerns on increased costs & proposed removal of general admission seating at the Oaks Baseball Stadium.

- Convene jointly as the Redevelopment Agency Board and the Visalia City Council

Item 5
Track 5
DL/BL 5-0
Approved

5. CONSENT CALENDAR -

- a) Request Redevelopment Agency Board authorization to grant utility easements to Southern California Edison, California Water Service Co., The Gas Co., Comcast, and SBC/ATT, for the development of Agency owned land at 1631 North Encina Street.

- Adjourn as the Redevelopment Agency Board and remain seated as the Visalia City Council

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

City Manager Steve Salomon requests that the Council amend the Agenda to add an item regarding TCAG’s transportation sales tax measure and that action/ direction is needed prior to Council’s next meeting time. Motion made by Council Member Link to accept this item and seconded by Vice Mayor Kirkpatrick approved 5-0 to be heard at the end of the agenda.

Track 5

Balance of the Consent Calendar Approved DL/GK 5-0

- 6. 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) Approval of continuing services with Community Services and Employment Training (CSET) for the operation of the City's Senior Home Repair Program through an agreement for three (3) years with authorization and the option to extend the contract for 2 one-year extensions thereafter, at the rate of \$91,000 per year.
 - c) Authorize the City Manager to apply for an alternative fuel vehicle grant in the amount of \$594,000 for 7 CNG Solid Waste trucks and 6 CNG transit buses from The San Joaquin Valley Air Pollution Control District’s (SJVAPCD) Heavy-Duty Engine Emission Reduction Incentive Program. **Resolution 2006-55 required.**
 - d) Award a contract for the Caldwell Avenue Widening Project from West Street to Santa Fe Street to the low bidder R.J. Berry Jr., Inc. in the amount of \$2,295,333.00 and authorize an additional appropriation of \$2,650,000.00 from the Transportation Impact Fund (1241.) Project # 1241-00000-720000-0-9211-2004.
 - e) Request authorization to file a Notice of Completion for the following:
 - 1. Project No. 4311-00000-720000-0-9451-2005 the Miscellaneous Sanitary Sewer Improvements.
 - 2. Parcel Map 2003-06, located 200 feet west of the intersection of Oak Avenue and Irma Street.
 - 3. Shannon Ranch Units 7 & 10, containing 123 lots, located at the northwest and southwest intersection of County Center and Shannon Parkway.

The following item requires final approval of the Visalia City Council confirming the application for waiver of appeal filing fees as accepted by the Office of the City Clerk on 5/31/2006 (Motion required.)

Item 7 Track 6

GK/DL 5-0 Fee Waiver Approved

- 7. PUBLIC HEARING - Appeal of Planning Commission approval of Tentative Subdivision Map No. 5518, a request by Jesus R. Gutierrez (Skylab) to divide .88-acre into five lots. The site is located at 1322 S. Giddings (APN: 096-241-029). **Resolution 2006-56 required.**

Planning staff member Paul Scheibel presents item and addresses comments & questions as posed by Council. Public Hearing Opened: Keith Harmon, appellant addresses Council; Jesus Gutierrez, applicant addresses Council; Public Hearing Closed. Motion to uphold Planning Commission decision & deny appeal approved.

DL/BL 5-0 Approved

- 8. PUBLIC HEARING- Annexation 2006-03, Hurley Avenue/Chinowth Street, initiation of annexation of a County island, generally located north of Mineral King Avenue, and west of Chinowth Street. **Resolution 2006-58 required.**

Phyllis Coring, Special Projects Manager introduces item & addresses Council comments & questions. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

Item 8 Track 7 GC/BL 5-0 Approved

Track 8
Item 9a
GC/GK 5-0
Approved

9. PUBLIC HEARING - for Text Amendment No. 2005-15: a request by the City of Visalia to amend the Zoning Ordinance as follows:

- a. **Introduction of Ordinance 2006-07**An Amendment to Zoning Ordinance Section No. 17.10.110, 17.12.110, 17.16.100, to increase the maximum building height to 35 feet in the RA (rural residential), R-1-6 (single family residential), and R-M (multiple family residential) zones. *(A separate Motion by the Council is required.)*
- b. **Introduction of Ordinance 2006-08** An Amendment to the Zoning Matrix, Zoning Ordinance Section 17.18.050, to add Hardware Stores with Outdoor Lumberyards as a "Conditional" use in the CSO (Commercial Shopping Office), and CCM (Community Commercial) zones, and; to add Hardware Stores over 10,000 square feet as a "Conditional" use in the CSO (Commercial Shopping Office), and CCM (Community Commercial) zones, and; to add Hardware Stores over 10,000 square feet as a "Permitted" use in the CS (Service Commercial) zone, and; to amend the language on Matrix Lines 695 through 699 to clarify the Hardware Stores categories. *(A separate Motion by the Council is required.)*

Item 9b
GC/BL 5-0
Approved

Planning staff member Andrew Chamberlain introduces item & addresses comments & questions as posed by Council. Public Hearing Opened; no comments; Public Hearing Closed. With regard to Item 9b, staff directed to place an upper square foot limit on hardware store size consistent wit the current Orchard Supply Hardware store approximately 52,000 square feet and 10,000 square feet outdoor storage; change the "P" permitted to a "C" conditional use in the CS Commercial Service zone; and return at the second reading with the full text for the amendment. Approved.

Item 10
Track 9
DL/GK 5-0
Approved

10. PUBLIC HEARING - to allow the City of Visalia to place miscellaneous special assessments on the Tulare County secured property tax roll for Curb and Gutter, Sewer and Refuse, Sewer Connection, Business Incentive Zone, Landscape and Lighting, Northeast Improvement District, Los Rios/ Casa Blanca, Weed and Lot Clearing and Property & Business Improvement District. **Resolution 2006-58 required.**

Finance staff member Cass Cook introduces item & addresses Council's comments & questions. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

Item 11
Track 10
DL/BL 5-0
Approved

11. REGULAR ITEM - Recertification of the Measure T Plan.

Finance Manager Gus Aiello introduces item, provides a PowerPoint slide presentation and addresses questions & comments as posed by Council. Approved.

*Item 2 - Track 11; Review of FY 2006-08 CIP budgets continued from Work Session.

- Upon the conclusion of the Public Hearing the following Item will be adjourned to Monday, June 26, 2006, a Regular Adjourned Meeting at 8:00 p.m. (or, immediately following the end of the June 26, 2006, Special Meeting) at the Visalia Convention Center:

Item 12
Track 12

- Convene jointly as the Visalia Redevelopment Agency Board, Visalia Public Finance Authority and the Visalia City Council

12. PUBLIC HEARING - Approval of the City of Visalia's multi-year budget for the fiscal years 2006-2007 and 2007-08 for the following: City of Visalia, Redevelopment Agency of the City of Visalia, Visalia Public Finance Authority. *(See Item 3 for written material.)*

Eric Frost, Administrative Services Director introduces item and addresses questions & comments posed by Council. Public Hearing Opened: Tim Fosberg addressed Council regarding retiree health care benefits; Dustin Hall, Group G requests the budget item regarding retiree health care benefits be removed and negotiated; Derek Fricke & Darren Hughes also comment regarding retiree health care benefits; Public Hearing Closed. Item adjourned to Monday, June 26, 2006, at 8 p.m. or immediately following the Special Meeting Agenda of the same date.

Track 12 cont.
GK/DL 4-1
(GC-No)

*Added Item - TCAG Transportation Sales Tax Measure; City Manager Steve Salomon & Assistant City Manager Michael Olmos offer comments to Council regarding topic. Questions & comments posed by Council addressed by staff. Motion by Vice Mayor Kirkpatrick that the City's support of the Transportation Sales Tax Measure is contingent upon having a Joint Powers Authority with a fair and equitable plan that has the consensus of all of the eight cities, and until that's in place the City will not support the measure. Approved.

Adjourned to
August 26,
2006, 8 p.m.
or
immediately
following the
special
meeting on
that same
date for Item
12 of this
agenda.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION:

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS:

None.

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk