

# Visalia City Council Action Agenda

For the regular meeting of: Monday, April 4, 2005

Location: City Hall Council Chambers

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

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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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Digital  
Recording  
Track 1

## **WORK SESSION AND ACTION ITEMS (as described)** **4:00 p.m.**

Introduction of Fred Brusuelas, the new Assistant Community Development/Public Works Director.

Track 2  
No Action  
Taken

1. Presentation by Shilts Consulting Inc. (SCI) Regarding the Public Opinion Research Study of Property Owners in Visalia Related to Parks & Recreation Facilities and Services.

Vince Elizondo, Parks and Recreation Director introduces item and consulting firm to Council. John Bliss of SCI offers a PowerPoint slide presentation & updates the Council on the results of the Public Opinion Research Study & presents their proposed recommendations. A Benefit Assessment should not be attempted at this time. Improve community outreach over the next year or two, and then conduct an additional survey prior to implementing such an assessment. Questions & comments by Council. No action taken.

Track 3  
JG/GK 5-0  
Approved

2. Review and approve the conceptual Santa Fe Street Overcrossing SR 198 schematic.

Jim Funk, Engineering Design Division, introduces item & design team who provides a PowerPoint slide presentation for review and approval of schematic by Council. Approved.

Track 4  
JG/WD 5-0  
Approved

3. Consideration of construction management delivery systems and appropriate action on Construction Management RFP.

Eric Frost, Administrative Services Director introduces item and Project Managers, Phyllis Coring, Sharon Sheltzer, and Monty Cox. Questions & comments by Council, staff responds. City Attorney Dan Dooley addresses the Council with regard to his role with Valley Children's Hospital construction projects. Construction Management firms Harris & Associates & CM Construction Services provide explanations of the construction management process. Approved.

Item 4  
continued to  
end of  
Regular  
Session

4. Discussion of the Essential Air Service proposals for the Visalia Airport and appropriate Council recommendations.

Adjourn to  
Closed  
Session

**CLOSED SESSION**

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

- 5. Conference with Legal Counsel – Anticipated Litigation (1)  
Pursuant to subdivision (b) of Section 54956.9 G.C.
- 5a. Conference with Legal Counsel – Existing Litigation  
(Subdivision (a) of Section 54956.9)  
Name of case: Brian Pinto vs. City of Visalia, et. al., TCSC No. 04-102897
- 6. Conference with Labor Negotiator  
Employee Groups: Group M  
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
- 7. Conference with Real Property Negotiators  
Property: 2 ½ Modoc Ditch Water Shares with parcel 078-110-012  
Under Negotiation: Price, terms, conditions of sale  
Negotiators: Steve Salomon, Don Stone, North Visalia Development Co.

Reconvene to  
Regular  
Session

**REGULAR SESSION**

**7:00 p.m.**

Track 5

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Scott Haagensen, Associate Minister, Visalia Community Church of Christ

**SPECIAL PRESENTATIONS/RECOGNITION**

Proclamation Presentation in recognition of Read Now...Read for Life Week.

Presentation of donation to Park & Recreation Foundation for sports park project by Andy Mangano.

**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 6

Earl Grizzell – Addresses Council with regard to Visalia Motor Mile & provides a brief video display. Council directs Deputy City Manager, Leslie Caviglia to work with Mr. Grizzell to bring item back to a later Work Session.  
Rebecca Roberts, Sheri Levin & Marci Jorgensen of Charter Oak Estates – Address Council with regard to on-going gang problems in their neighborhood and ask for assistance to resolve these issues. Chief of Police Jerry Barker, Code Enforcement Officer Tim Burns and

Community Development/Public Works Director Michael Olmos asked to speak with the group to discuss their concerns.  
Mike Dyg – Addresses Council with regard to code restriction on the use of artificial turf in landscaping. Item to be placed on upcoming Work Session for Council’s review.

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

Track 7  
Councilmember Landers pulls Items 8b, c, & j for discussion. Councilmember Deissler pulls Item 8d for discussion. Mayor Link pulls Item 8e for discussion.

Balance of Consent Calendar Approved GK/JG 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) Approval of **Resolution 2005-44** amending the Records Retention Schedules and Records Destruction Policy with an Electronic Data Retention Policy. This amendment specifically addresses the handling of electronic data, including email, voicemail, tape backup, and other electronic data types.

Track 8  
DL/GK 4-1 (JG - No) Approved as Amended  
Mike Allen, Information Services Manager, addresses Council’s comments & questions with regard to the proposed retention policy. Consensus to retain emails reduced to 30 days from 90. Approved as Amended.

c) Authorization to award a contract to Citizens Business Bank for banking services.

Track 9  
DL/JG 5-0 Approved  
Item pulled by Councilmember Landers to compliment staff for their work on this item. Approved.

d) Authorize the City Manager to execute an agreement with West Coast Arborists, Inc. to perform tree maintenance services (Bid #04-05-24.)

Track 10  
WD/DL 5-0 Approved  
Vince Elizondo, Parks and Recreation Director address Council’s comments & questions. Approved.

e) Approve the recommendation by the Parks and Recreation Commission to establish the name of the “Dick and Betty Anthony Community Center” for the new gymnasium and existing Visalia Recreation Center in Recreation Park.

Track 11  
BL/GK 5-0 Approved  
Item pulled by Mayor Link to comment on the roles Dick & Betty Anthony have played throughout the community. Approved.

f) Request authorization to accept parcels 7, 8 and 12 of Document No. 2003-0011275 an “Irrevocable Offer of Dedication” for Shannon Parkway and Giddings Street right-of-way for roadway purposes as offered by CRS Farming, LLC as recorded in Tulare County Records. **Resolution 2005-52 required.**

g) Authorize the City Manager to apply for an alternative fuel vehicle grant in the amount of \$100,000 for 7 CNG Solid Waste trucks from the Department of Energy, (DOE) 2005 State Energy Program.

h) Authorization for City Manager to execute a contract with Jeffco Painting & Coating, Inc. in the amount of \$254,300 to clean and apply protective coating to the concrete walls, floor and metal surfaces of Primary Sedimentation Basin No. 2 at the Wastewater Treatment Plant.

Track 12  
DL/JG 5-0  
Approved

- i) **Second Reading of Ordinance 2004-05** declaring that real property comprising approximately 12,765 square feet located at 220 N. Santa Fe as surplus for the sale to the Visalia Chamber of Commerce for the development of a new 6,921 square foot office complex and Reciprocal Access License and Purchase Option for the proposed joint alleyway and authorization to begin the mandatory 30-day waiting period for the Ordinance to become effective and escrow to close.
- j) Authorization to approve list of street improvement projects to be included in an accelerated capital improvement project package to be funded by Transportation Impact Fees.

Item pulled by Councilmember Landers for comments. Approved.

- k) Request authorization to file a Notice of Completion for the Houston Avenue at Burke Street Traffic Signal. Project No. 1111-72-0-0-9026-2001.
- l) Intention to Form Open Space District No. 87, Four Creeks Estates II setting April 18, 2005, as the date of protest hearing. **Resolution No. 2005-51 required.**
- m) Authorization for the Formation, Annexation, or Amendment of the following Landscape and Lighting District(s), and authorization *for the Recordation of* the final map(s) related thereto (if applicable):
  - 1. Gunn Ranch Subdivision (70 lots), located at the northwest corner of Demaree Street and Visalia Parkway and the formation of Landscape and Lighting District No. 05-05, Gunn Ranch Subdivision; **Resolution 2005-45 and 2005-46 required.**
  - 2. Formation of 21 lots in the St. Johns Estates subdivision into Landscape and Lighting District No. 05-07, St. Johns Estates; **Resolution 2005-47 and 2005-48 required.**
- n) Authorization to adopt **Resolution 2005-49** confirming the report of the Chief Building Official regarding levying of an assessment in the amount of \$8,035.98 for Removal and Demolition of a Single Family Dwelling at 708 S. Church Street.
- o) Allocate \$30,000 to the Packwood Creek Pedestrian/Bike Capital Improvement Program project established at the March 28, 2005 meeting.
- p) Authorization for the inclusion of Cal Water Representative in Water Management Committee.

-Convene jointly as the Visalia Public Finance Authority and the Visalia City Council

- 9. REGULAR ITEM -Approve **Agency Resolution 2005-03** and **City Council Resolution 2005-50** authorizing the execution and delivery of documents relating to the sale and delivery of 2005 refunding certificates of participation in conjunction with the refinancing of the 1996 Convention Center Bonds.

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

Eric Frost Administrative Services Director addresses Council's comments & questions.  
Approved.

Track 13  
JG/DL 4-1  
(GK - No)  
Approved

#### REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None

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

None

**Work Session Item Continued to end of Regular Session:**

4. Discussion of the Essential Air Service proposals for the Visalia Airport and appropriate Council recommendations.

Mario Cifuentez, Airport Manager, provides an overview of the item and addresses Council's comments & questions. Comment letter to the Department of Transportation due by 4/11/05. City Manager, Steve Salomon, offers comments to Council. Approved.

Track 14  
DL/GK 5-0  
Approved

**ITEMS OF INTEREST**

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk