

Visalia City Council Action Agenda

For the regular meeting of: Monday, April 18, 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

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.**

Track 1

1. Discussion of policies and statutes related to Medicinal Marijuana and the Compassionate Use Act of 1996 presented by City Attorney Dan Dooley and Deputy City Attorney Kris B. Pedersen.

City Attorney Dan Dooley addresses Council and provides an informational update on this item and presents his recommendations for consideration. Mayor Link asked for comments from audience attendees. Jeff Nunes & Steve Geiger speak in support of this item. Lynn Mirviss speaks in opposition of this item, but in support of traditional medical methods. Questions & comments by Council, staff responds. City Attorney to return to Council with an Interim Emergency Ordinance by June 6, 2005. No action taken.

Track 2

2. Discussion of Air Service Development efforts for the Visalia Airport and a request for the appropriation of \$5,000 from the General Fund as non-airport, matching funds for a potential grant from the Federal Department of Transportation.

DL/JG 5-0
Approved

Airport Manager Mario Cifuentez provides a PowerPoint slide presentation update on the air proposal. Questions & comments by Council, staff responds. Appropriation approved.

Track 3
Gk/DL 5-0
Approved

3. Review of City's Request for Proposals for the Storm Water Master Plan Update.

Community Development/Public Works Director Michael Olmos and Assistant Director David Jacobs provide an update on the item and present slides of various examples of ponding basins throughout the city. Questions & comments by Council, staff responds. Council requests to review the draft proposals. Approved.
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**Any items not completed by 6:00 p.m. will be continued to the evening session after Item 10.*

Track 4

ITEMS OF INTEREST

Adjourn to
Closed
Session

CLOSED SESSION

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

4. Conference with Labor Negotiator
Employee Groups: Group M
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila

5. Conference with Real Property Negotiators
Property: 2.4 acres a part of APN# 098-220-049 for the purpose of riparian setback on the St. Johns River
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Don Stone, Robert Bricker

6. Conference with Real Property Negotiators
Property: for that 1.26-acre parcel owned by the Tulare County Farm Bureau located along the south side of Goshen Avenue between Burke Street and Ben Maddox Way, APN: 094-180-002
Under Negotiation: to provide direction to Real Property Negotiator with regards to price, terms and conditions for development of a potential purchase and sale agreement
Negotiators: Steve Salomon, City Manager, Michael Olmos, Community Development Director, Bob Nance, Economic & Redevelopment Manager and the Tulare County Farm Bureau

7. Conference with Real Property Negotiators
Property: two parcels located at 300 and 320 N. Tipton
Under Negotiation: Price, terms, conditions for development of a potential purchase and sale agreement
Negotiators: Steve Salomon, Michael Olmos, Bob Nance, Colby Wells, Southern California Gas

Reconvene to
Regular
Session

REGULAR SESSION
7:00 p.m.

Track 5

PLEDGE OF ALLEGIANCE

INVOCATION -

SPECIAL PRESENTATIONS/RECOGNITION

Special recognition of Mrs. Betty Anthony.

Presentation of donation to Park & Recreation Foundation for the Leathers Playground at the new Sports Park by Todd Carpenter.

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.

Ellen Wooten, Visalia, CA - Addresses Council opposing the medical marijuana issue.
Steven Peck, Visalia, CA (Quad Knopf) - Addresses Council requesting an Initiation of a General Plan Amendment for property North of Sierra Village. Council directs item to be placed on the May 2 agenda.
Miguel Oseguera, Visalia Fire Association Invites Council & staff to the 20th Annual Sober Grad Night, May 20, 2005, 8 p.m. to 1 a.m., Visalia Convention Center
Jack Benigno & Helen Cloutier, Visalia, CA - Express their concerns & frustrations with the power line issue with regard to the Akers Widening Project.

Track 6
Balance of
Consent
Calendar
Approved
DL/GK 5-0

CHANGES TO THE AGENDA/ITEMS TO BE PULLED 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.
 - b) City Council approval of resolutions relating to the regular municipal election to be held on Tuesday, November 8, 2005. Approval of **Resolution No. 2005-54** requesting and consenting to consolidation of elections and setting specifications of the election order; Approval of **Resolution No. 2005-55** requesting the Tulare County Board of Supervisors permit the County Registrar of Voters to render specific services to the City of Visalia.
 - c) Review of proposed amendment to contract with Bruce Race, RACESTUDIO, Urban Design, of Berkeley, California in the amount of \$131,600 for professional services related to the development of the Civic Center Master Plan.
 - d) Authorization for the City Manager to execute a renewed professional services agreement with Jefferson Government Relations (Washington, D.C.) in the amount of \$60,000 annually for continuing legislative advocacy services through March, 2006.
 - e) Approval of a contract between the City of Visalia and the Visalia Chamber of Commerce for the lease of the building at 720 W. Mineral King for \$825 per month, on a month-to-month contract, not to exceed 1 year.
 - f) Approval of a contract between the City of Visalia and the Visalia Chamber of Commerce for management of the Tourism Bureau from April 1, 2005 through June 30, 2005 for \$31,300.
 - g) Approval of a two-year contract between the City of Visalia and Downtown Visalians for security services at the Acequia Parking Structure for \$4,588/month, cleaning services at the structure for \$400/month, and periodic cleaning of the Garden Street Plaza at a rate of \$195 per cleaning.

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

- h) Approval of the Civic Center Masterplan Task Force Committee members.

Item 8h pulled by Councilmember Kirkpatrick for discussion. Approved

- i) Request authorization for the City Manager to execute an agreement between Tulare County and the City of Visalia to share the cost of design and construction of traffic signals at the intersections of Woodland Street and Mineral King Avenue and Woodland Street and Burrel

Track 8
Item 8i
DL/JG 5-0
Approved

Avenue to facilitate the opening of Woodland Street at Mineral King Avenue. **Resolution 2005-56 required.**

Item 8i pulled by Mayor Link for comments by Tulare County Board Supervisor Phil Cox to offer thanks for the work in seeing this to fruition. Approved.

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

1. Marviola Estates, containing 5 lots, located in the northwest corner of Hurley Avenue and Teddy Street.
2. East Oak Estates #2, containing 37 lots, located south of Houston Avenue at the south end of Comstock Street.

k) 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. Authorize the Recordation of the Final Map for Maddox @ Caldwell 5, Phase 4, located West of Ben Maddox Way and north of Monte Verde Avenue (16 lots) and the Formation of Landscape and Lighting District No. 05-10, Maddox @ Caldwell 5 ; **Resolution 2005-57 and 2005-58 required**; APN: 126-120-036, 049 & 058.

Track 9
Item 8k(1)
JG/DL 5-0
Approved

Item 8k(1) pulled by Vice Mayor Gamboa for discussion & comments regarding future development. Approved

9. PROTEST HEARING - regarding formation of "Open Space District No. 87, Four Creeks Estates II". If less than 50% of property owners protest, adopt a resolution forming the Open Space District. **Resolution No. 2005-59 required.**

Track 10
DL/JG 5-0
Approved

Assistant Community Development/Public Works Director Andrew Benelli addresses Council. City Manager Steve Salomon comments on item for clarification. Protest Hearing Opened: No comments; Protest Hearing Closed. Approved.

10. REGULAR ITEM - Request authorization to enter into contract with Deventec, Inc. for the installation of a photovoltaic energy generation system mounted on a parking shade structure at the Visalia Airport for a cost of one hundred seventy five thousand and five hundred dollars (\$175,500) after California Energy Commission rebate of \$84,000. The total cost without the rebate would be \$259,500.

Track 11
GK/WD 5-0
Approved

Presentation & discussion of item take place. A brief PowerPoint slide presentation is made. Questions & comments by Council, staff & Deventec representatives respond. Council expresses preference to awning install & parking shade near building along fence. Approved.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

City Attorney Dan Dooley reports on the closing of the property located at Shirk & Ferguson the site of the City's future fire station.

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk