

Visalia City Council Action Agenda

For the regular meeting of: Monday, August 15, 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.

Employee Introductions:

Track 1

~~Chief of Police Jerry Barker~~ Assistant Chief of Police Bob Williams introduces Jeane Smith-Records Specialist, Adam Collins-Police Officer, Gene Garcia-Police Officer, Bryan Ferreira-Police Officer.

Assistant Community Development/Public Works Director David Jacobs introduces David Bruce, Sr. CAD Technician, Julie Bouknight, CAD Technician, Lilly Garza, CAD Technician.

~~Assistant Community Development/Public Works Director Andrew Benelli~~ Public Works Manager, Solid Waste, & Fleet Jim Bean introduces solid waste operators Armando Arredondo and Michael Gutierrez.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Track 2
No Action
Taken

1. Presentation by Michael Alburn, General Manager, Delta Vector Control District, regarding the District's operations and its approach to combating the West Nile Virus.

Deputy City Manager Leslie Caviglia introduces Delta Vector Control representatives who provide an overview of their organization, funding, operations, and efforts to combat the West Nile Virus. Questions & comments made by Council. No action taken.

2. Valley Oak SPCA presentation of new site plan of the Charles Hoey Adoption Center and Authorization for the City Manager to execute a 1-year service agreement (with an additional 2-year agreement option) with Valley Oak SPCA for animal control services in the amount of \$270,000 annually and \$50,000 for two (2) animal control pickup trucks with cages.

Track 3
JG/GK 5-0
Approved as
Amended

Assistant City Manager introduces item and VOSPCA members who address the Council & provide a PowerPoint slide presentation for the building campaign. Discussion of financial situation & proposed contract for services and proposed fee increases made. Motion approved as amended approving contract and directing staff to return to Council as to the issue of the licensing fee increases with a step increase approach and to consider the formation of a review committee with council representation.

Track 4

JG/WD 5-0
Approved

3. Review of recommendations and request for actions from the West Highway 198 Open Space Task Force and City staff regarding open space plan and comprehensive land use plan for both sides of Highway 198, generally between Akers Street and Valley Oaks Golf Course.

Assistant Community Development/Public Works Director provides a review of the task force recommendations. Questions & comments posed by Council, staff responds. Mayor Link stated that with regard to the issue of additional names for the task force that it should be left to his discretion. Item approved as recommended & move forward with the task force as noted.

**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. Public Employee Performance Evaluations
Title: City Manager
5. Conference with Labor Negotiator
Employee Groups: Group M
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
6. Conference with Real Property Negotiators
Property: 20,670 square foot City owned property located at 720 W. Mineral King Avenue
Under Negotiation: Price, terms and conditions for potential development of a purchase and sale agreement
Negotiators: Steve Salomon, Michael Olmos, Fred Brusuelas, Bob Nance and Carl Anderson of the Presbytery of San Joaquin
7. Conference with Real Property Negotiators
Property: .94 acres, part of APN 101-060-026, designated as Lot C on the Wood Ranch No. 1 tentative subdivision map
Under Negotiation: Price, terms, conditions of purchase for the purpose of riparian set back along Packwood Creek
Negotiators: Steve Salomon, Don Stone, R.J. Hill Incorporated
8. Conference with Real Property Negotiators
Property: Lot 2 of the Community Campus of Visalia, .40 acres, located at 310 Northwest Third Avenue
Under Negotiation: Price, terms and conditions of sale
Negotiators: Steve Salomon, Bob Nance, Pro-Youth/HEART After School Program
9. Conference with Real Property Negotiators
Property: for that approximately 36,656 square foot parcel owned by the City of Visalia located at 535 N. Burke Street, APN: 094-250-015
Under Negotiation: Price, terms and conditions for potential development of a purchase and

sale agreement

Negotiators: Steve Salomon, Fred Brusuelas, Bob Nance and Harvey May of Paloma Development Company, Inc of Visalia, California

- Convene jointly as the Redevelopment Agency Board and the Visalia City Council for the following item(s) only:

10. Conference with Real Property Negotiators

Property: for the following parcels owned by the Tulare County Farm Bureau: a) 1.26-acre parcel 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 Brad Caudill, Executive Director of the Tulare County Farm Bureau

11. Conference with Real Property Negotiators

Property: for that 1.47-acre parcel owned by the Community Redevelopment Agency of the City of Visalia located at 1401 E. Goshen Avenue.

Under Negotiation: Price, terms and conditions for the potential development of a Disposition & Development Agreement

Negotiators: Steve Salomon, Michael Olmos, Fred Brusuelas and Carolyn Rose of Community Services & Employment Training, Inc of Visalia, CA.

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

Reconvene to
Regular
Session

REGULAR SESSION

7:00 p.m.

Track 5

PLEDGE OF ALLEGIANCE

INVOCATION -

SPECIAL PRESENTATIONS/RECOGNITION

Presentation of and Tribute to the American Flag by the Visalia Assembly International Order of the Rainbow for Girls

Resolution of Commendation to Explorer Cherie Smith.

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.

Phil Mirwald of Cal Water requests that Item 12n be pulled from the Consent Calendar.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

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

12. 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) Authorize the City Manager to enter into a contract, in an amount not to exceed \$22,500 (including expenses), with Gary Brown and Avery and Associates, for limited assistance in conducting a recruitment to fill the position of Police Chief.
- c) Appointment of the members to serve on the Management Oversight Committee for the Visalia Convention and Visitor's Bureau.

Pulled for discussion by Councilmember Kirkpatrick. Member designation addressed re 2 hotel reps with 5 community at large reps. Approved as Amended.

Track 7
Item 12c
GK/WD 5-0
Approved as
Amended

- d) Appointment of Larry Segroe to serve as a Planning Commissioner to fill the unexpired term of Liz Wynn and Adam Peck as an alternate.
- e) Authorize the City Manager to donate a Visalia Fire Department surplus 1978 55 ft Telesquirt Aerial Apparatus to the Visalia Rotary Club for donation in turn to a city in Mexico.
- f) Authorization for the City Manager to accept and appropriate a grant award for \$20,541.43 from the Office of Homeland Security, Homeland Security Grant Program.
- g) Approval of a contract for services with Mark Briggs & Associates for preparation of two applications to the Environmental Protection Agency funds for: 1) An Area-wide Assessment Grant to assist in the identification of potential contaminated properties and 2) A Cleanup Grant for environmental hazardous or contaminated sites within E. Main Street and Civic Center Master Plan Areas. Application contract cost of \$20,000 plus travel expenses not to exceed \$1,500.
- h) Authorization for the Mayor to send letter in support of Local Agency Formation Commission amendment to Policy C-2, pertaining to waiver of protest hearings on annexations.
- i) Authorization to provide \$200,000 in allocated funds to Visalia Unified School District toward the construction of a swimming pool at El Diamante High School.

Pulled by Councilmember Landers for comments. Approved.

Track 8
Item 12i
DL/GK 5-0
Approved

- j) Award a Construction Contract for the Riggin Avenue Extension Improvements project to Glen Wells Construction Company, Inc. in the amount of \$1,688,499.50 and authorize additional appropriation for the project in the amount of \$807,724.00 from the Gas Tax

Fund (11111) and \$368,775.00 from the Wastewater Trunk Line Construction Fund (1231), Project No. 1111-000000-720000-0-9476-2005.

Track 9
Item 12j
JG/WD 5-0
Approved

Pulled by Vice Mayor Gamboa for comments. Approved

- k) Authorizing the rejection of an Irrevocable Offer to Dedicate real property; Riggin Avenue east of Dinuba Boulevard **Resolution 2005-111** required.
- l) 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 The Country Club, Phase 1, located on the south side of Houston Avenue and east of Demaree Street (72 lots) and the Formation of Landscape and Lighting District No. 05-20, The Country Club; **Resolution 2005-112 and 2005-113 required.** APN: 089-030-036.
- m) Request authorization to file a Notice of Completion for the following:
 - 1. The Ranch No. 3, containing 29 lots, located at the northwest corner of Houston Avenue and Chinowth Street.
 - 2. Maddox @ Caldwell 4, Phase 1, containing 11 lots, located at Ben Maddox Way and Caldwell Avenue.

n) **Second Reading of the following Ordinance(s):**

- 1. **Ordinance 2005-09** Adoption of Chapter 16.54 of the Municipal Code regarding Groundwater Overdraft Mitigation. The proposed ordinance establishes fees on new development and exiting pumping for municipal water supplies to implement programs to mitigate groundwater overdraft.

Track 10
Item 12n(1)
DL/JG 5-0
Approved

Pulled for comments at citizen's request. Approved.

At the request of staff Item 13 is to be continued to Tuesday, September 6, 2005 (Motion required.)

13. PUBLIC HEARING -

Track 11
Item
Continued to
9/6/05
DL/WD 5-0
Approved

Initiation of Proceedings for Annexation No. 2005-04 (Lowery Ranch): A request by Mangano Homes, applicant (Quad Knopf, agent) to annex six parcels and right-of-way totaling 176 acres into the City of Visalia. The site is located on the west side of Demaree Street, between Riggin Avenue and Avenue 316. (APN: 077-060-005, 009, 017, 022, 023, and 024) **Resolution 2005-XX.**

- 14. REGULAR ITEM - *Continued from Monday, August 1, 2005* - Recommendation by the Visalia City Council authorizing City Manager to enter into a contract between the City of Visalia and the County of Tulare to provide Advanced Life Support-First Responder Services to the citizens of Visalia.

Track12
DL/JG 5-0
Approved

Administrative Battalion Fire Chief presents item to Council. Comments by Council. Approved.

15. PUBLIC HEARING - Annexation 2005-06, Houston Ave. Island, initiation of annexation of a County island, generally located on the south side of Houston Ave., between Lovers Lane and Simon; **Resolution 2005-114 required.**

Track13
GK/WD 5-0
Approved as
Amended

Phyllis Coring, Special Projects Manager introduces item. Public Hearing Opened: Larry Owsley and Douglas Gow address Council regarding the zoning designations. Public Hearing Closed & Re-Opened: Lynn McLean addressed Council regarding public safety issues & timelines, but was out of turn as he is involved on the next item. Public Hearing Closed. Questions & comments by Council, staff responds. Motion to Continue Item referring it back to the Planning Division for review of zoning designations, matter to be re-noticed for a future Public Hearing. Approved as Amended.

16. PUBLIC HEARING - Annexation 2005-11, Ben Maddox Island, initiation of annexation of a County Island, located generally between Burke St. and Ben Maddox Way, north of Houston Ave.; **Resolution 2005-115 required.**

Track 14
DL/GK 5-0
Approved

Phyllis Coring, Special Projects Manager introduces item. Public Hearing Opened: No public comments made at this hearing; Public Hearing Closed. Questions & comments by Council, staff responds. Approved.

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

Adjourn