

Visalia City Council Action Agenda

For the regular meeting of: Monday, December 19, 2005

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)

Track 1

4:00 p.m.

1. Update on the Civic Center Master Plan alternatives and discussion on implementation approach and next steps.

GK/BL 5-0
Approved as
noted for the
record

Assistant City Manager Michael Olmos intros item & Economic & Redevelopment Manager Bob Nance who provides an initial overview. Consultant Bruce Race provides a PowerPoint slide presentation highlighting the recommendations of the Task Force. Consultant Andy Pleshia reviews asset management & potential revenue sources. Council comments and questions were address by staff. Direction & approval provided by Council as noted for the record.

Track 15
(item heard at
end of
Regular
Session)
GK/BL 5-0
Approved

2. Discussion and authorization to implement the action plan for the East Downtown Strategic Plan.

Item 2 heard at the end of the Regular Session. Assistant City Manager Michael Olmos, Assistant Director Community Development Fred Brusuelas and Consultant Bruce Race address comments and questions by Council. 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

CLOSED SESSION

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

Adjourn to
Closed
Session

3. Conference with Legal Counsel - Existing Litigation (1)
Name of Case: City of Visalia v. Harrah, TCSC Case No. 04-210016
(Subdivision (a) of Section 54956.9 GC)
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- Anticipated Litigation
(Subdivision (b) of Section 54956.9 GC)
Industrial Disability Retirement (3)

6. Conference with Real Property Negotiators
Property: 212 N. Tipton, APN: 094-240-037 and the 9,841 square foot parcel located at 220 N. Tipton, APN: 094-240-032
Under Negotiation: Price, terms, conditions of a potential purchase and sale agreement
Negotiators: Steve Salomon, Bob Nance, Ken Kugler representing Duval & Margaret Kugler

7. Conference with Real Property Negotiators
Property: located south of Visalia Parkway on the County Center Drive Alignment, Project No. 1231-00000-720000-9840-2006
Under Negotiation: Price, terms, conditions of a purchase for sewer line easement in the future County Center Drive alignment between Visalia Parkway and Midvalley Avenue
Negotiators: Steve Salomon, Adam Ennis, Marvin, Martha and Michael Keener

Track 2

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Kent Mishler, KDDH Chaplain

SPECIAL PRESENTATIONS/RECOGNITION

Wynter Benway, 2005 Visalia Teen Idol Winner, performs holiday songs.

Track 3

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.

Brian Newton – addresses Council regarding the Appeal filed by Councilmember Collins and questions why it was withdrawn.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Items 8e, k(1), & 8m(1) & (2) pulled by Councilmember Collins for discussion. Items 8g & j pulled by Councilmember Landers for discussion.

Track 4
Balance of
Consent
Calendar
Approved
GK/DL 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) Assignment of City Council Representatives to various boards and committees for the 2005-2007 Council Term.
- c) Appointment of Amy Shuklian and Bill Dillberg to serve on the Parks and Recreation Commission, and approval to recruit in early 2006 for two alternates to the Commission.
- d) Authorization for the City Manager to enter into an indemnification agreement with the Tulare County Local Agency Formation Commission for Annexation 2005-06, Houston Avenue Island and authorization to enter into indemnification agreements on all future annexations.
- e) Receive a status report on the Northwest fire station and training facility amending the contract with BJ Perch.

Track 5
GK/BL 5-0
Approved

Finance Manager Gus Aiello addresses Council's comments & questions regarding the Construction Manager at Risk and the amendment to the contract. Approved.

- f) Approve the recommendation by the Parks & Recreation Commission to establish the name of "(James) Burke Park" for the new neighborhood park site at Burke and Monte Vista Streets in southeast Visalia.

Track 6
DL/BL 5-0
Approved

- g) Award contract for the Signal Preemption Project to AC Electric Company in the amount of \$211,560.00; project no. 3011-00000-720000-0-9531-2006.

Fire Battalion Chief Doyle Sewell addresses Council's comments & questions. Approved.

- h) Award a contract for the Pinkham Street - K Avenue Intersection Street Improvement Project to Central Valley Asphalt in the amount of \$312,074.48 and authorize an additional appropriation of \$281,500.00 from the Transportation Impact Fund (1241); Project No. 1241-00000-720000-0-9723-2005.

- i) Item removed from Agenda.

Track 7
DL/GK 5-0
Approved

- j) Approve a non-matching grant award in the amount of \$26,059 from the State Office of Homeland Security and Tulare County Office of Emergency Services to the Visalia Fire Department.

Fire Battalion Chief Danny Wristen addresses Council's comments & questions. Approved.

Track 8
Item 8k(1)
pulled for
vote
GK/DL 4-1
(Collins-No)

- k) **Second Reading of the following Ordinance(s):**

1. **Ordinance 2005-22** for Change of Zone No. 2005-19, a request by Vernon F. Phan to change the Zoning from R-M-3 (Multi-Family Residential) to CC (Convenience Commercial) on .32 acre. The project site is located on the northeast corner of Murray Avenue and Jacob Street (APN 093-243-009, 010).
2. **Ordinance 2005-23** authorizing the lease of .68 acres of property at the Visalia Municipal Airport to Optimal Aviation Services, LLC for the purpose of constructing an Aircraft Storage Facility.
3. **Ordinance 2005-24** for Construction and Demolition Recycling Ordinance (Chapter 8.29) to increase the recycling and reuse of construction and demolition debris.

l) Authorization to file Notice of Completion for the following:

- 1. Recreation Park Gymnasium at 343 N. Jacob Avenue.

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):

Track 9
Item 8m(1)
DL/GC 5-0
Approved

- 1. Final Map for Ashley Grove No. 11, located at the southwest corner of Riggin Avenue and Mooney Blvd. (76 lots) and the Annexation to Landscape and Lighting District No. 05-17, Ashley Grove No. 10-11: **Resolution 2005-179 and 2005-180 required.** APN: 089-001-033.

Public Works Director Andrew Benelli addresses Council's comments & questions. Approved.

- 2. Authorize the Recordation of the Final Map for Park Place 3, located north of Caldwell Avenue, between Pinkham Street and Lovers Lane (53 lots) and the Annexation of Park Place 3 into Landscape and Lighting District No. 04-04, Park Place/Crossroads **Resolution 2005-181 and 2005-182 required.** APN: 126-120-069.

Public Works Director Andrew Benelli addresses Council's comments & questions. Approved.

Track 10
Item 8m(2)
GK/DL 5-0
Approved

n) Authorization to record the final map for the following:

- 1. Final parcel map for Tentative Parcel Map 2005-11, located at the northwest corner of Lovers Lane and Caldwell Avenue. APN: 126-120-070

9. REGULAR ITEM - Recommendation to award major capital projects as described in individual staff reports.

Track 11
Item 9a
DL/BL 5-0
Approved

- a) Authorization to award the construction contract for the West Acequia Parking Structure to Seals/Biehle General Contractors of Visalia in the amount of \$13,110,000, and appropriate \$2.6 million additional funding for the project. Project #3011-720000-00000-0-9536-2005.

- b) Authorization to award the construction contract for Phase 1 of the Riverway Sports Park to Lewis Nelson & Son of Selma in the amount of \$9,010,000, and appropriate an additional \$1,250,000 from the Park Impact Fee Fund for the project. Project #3011-72000-0-0-9141-2003.

Administrative Services Director Eric Frost introduces items & provides a brief overview. Comments & questions addressed by Staff. Further comments offered by Council. Items 9a & 9b approved.

Item 9b
BL/GK 5-0
Approved

10. PUBLIC HEARING -

Track 12
Item 10a
DL/GK 5-0
Approved

- a) Certification of Negative Declaration No. 2005-134. **Resolution 2005-183 required. (A separate Motion by the Council is required.)**
- b) Public Hearing for Contract Cancellation No. 2005-01: a request by Frank Luisi et al, property owners (Bob Dowds, agent) to cancel 61 acres of Williamson Act Land Conservation Contract No. 9788 within Agricultural Preserve No. 3350, covering 75 acres. The site is located on the east side of Demaree Street between Ferguson Avenue and Houston Avenue in the City of Visalia, within APN 089-020-020 [portion], 089-020-022, and 089-020-023. **Resolution 2005-184 required. (A separate Motion by the Council is required.)**

Item 10b
DL/BL 5-0
Approved

Associate Planner Brandon Smith address Council's comments & questions. Public Hearing Opened: Bob Dowds, Agent, speak in support of project & on behalf of the Luisi's; Public Hearing Closed. Approved

Track 13

11. PUBLIC HEARING -

Item 11a
GK/DL 5-0
Approved

- a) Certification of Negative Declaration No. 2005-00, **Resolution 2005-185 required. (A separate Motion by the Council is required.)**
- b) Adoption of General Plan Housing Element Update. **Resolution 2005-186 required.**

Item 11b
GK/DL 5-0
Approved

Assistant Community Development Director Fred Brusuelas introduces item and addresses Council's comments & questions. Larry Mintier provides a PowerPoint slide presentation outlining the City of Visalia Housing Element Update. Public Hearing Opened; No comments; Public Hearing Closed. Approved.

12. REGULAR ITEM - Authorization for the City Manager to: Execute a 1-Year Serve Agreement (with an additional 2-year agreement option) with Valley Oak SPCA for Animal Control Services in the amount of \$307,583 annually and \$78,000 for two (2) Animal Control Pickup Trucks with cages and \$5,250 for licensing software and increase the late or no license fee for dogs and cats from \$10 to \$20.

Track 14
DL/GK 4-1
(Link-No)
Approved

Assistant City Manager Carol Cairns presents item & provides an overview of the report. Comments & questions were addressed by Ms. Cairns, Donna Bailey and Richard Phillips of the Valley Oak SPCA. Staff to return in February regarding fee increases and in six months to provide a review of the crematorium. Ms. Cairns indicates that quarterly reports will be provided to Council on the progress of the SPCA licensing goals. Approved

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Approval of Industrial Retirements for Sergeant Jay Frame and Officers Dennis Rhyman and Al Nava.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

None.

Adjourn

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk