

Visalia City Council Action Agenda

For the regular meeting of: Monday, September 20, 2004

Location: City Hall Council Chambers
707 W. Acequia Ave., Visalia

Mayor: Bob Link
Vice-Mayor: Phil Cox
Council Member: Jesus J. Gamboa
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.

Digital
Recording
Track 1

Employee Introductions:

~~Chief of Police Jerry Barker~~ Assistant Chief of Police Dennis Swiney introduces Jared Whaley, Kevin Kroeze, Stan Harada, Mike Nulick, Michael Short, Police Officers and Steven Hays, Dispatcher.

Jim Ross, Public Works Manager, introduces Jerome Manuszak, Waste Water Treatment Plant Operator II.

Digital
Recording
Track 2

WORK SESSION AND ACTION ITEMS (as described)

5:00 p.m.

1. Update on Proposition 1A and Recommendation that the City Council adopt **Resolution 2004-90** to support Proposition 1A (Californians to Protect Local Taxpayers and Public Safety) presented by Assistant City Manager Carol Cairns.

Assistant City Manager Carol Cairns provides an overview of Proposition 1A. Comments and questions made by Council. Resolution 2004-90 approved.

JG/DL 4-1
Approved
(GK absent)

Digital
Recording
Track 3

ITEMS OF INTEREST

CLOSED SESSION

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

Adjourn to
Closed
Session

2. Conference with Labor Negotiators
Groups: All
Agency Negotiator: Steve Salomon, Eric Frost, Janice Avila

3. Conference with Real Property Negotiator
Property: 13.97 acres located on southeast corner Highway 198 and Shirk Road APN: 087-010-73
Under Negotiation: Price, terms and conditions of purchase
Negotiators: Steve Salomon, Don Stone, George J. Perry and the Trustees of the Perry Family Trust

- 3a. Conference with Real Property Negotiator
Property: 805 W. Acequia
Under Negotiation: Potential amendment to Purchase & Sale Agreement
Negotiators: Steve Salomon, Bob Nance, Colleen Carlson, John & Maria Barbis

Reconvene to
Regular
Session

Digital
Recording
Track 4

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Visalia Community Church of Christ, David Berry, Minister

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.

No speakers.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Vice Mayor Cox pulls Item 4c for discussion.

Balance of
Consent
Calendar
Approved
GK/PC 5-0

4. 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) Authorization to adopt **Resolution 2004-91** authorizing a Recreational Non-Motorized Trails Program grant application in the amount of \$85,000 to construct a twelve foot wide asphalt path approximately along Mill Creek between Mill Creek Garden Park and McAuliff Street.

Digital
Recording
Track 5

PC/DL 5-0
Approved

- c) **Introduction of Ordinance 2004-26** approving a Reciprocal Access License and Purchase Option between the City of Visalia, for a portion of its property located at 120 W. Center Street, and Gratius Group, a California limited partnership, and its property located at 126 W. Center Street and approval and authorization to execute a Reimbursement Agreement with Paloma Development for planned improvements to the City owned parking lot located at 120 W. Center Street

Item pulled for discussion by Vice Mayor Phil Cox. Economic & Redevelopment Manager Bob Nance addresses Council's comments & questions. Item approved.

- d) Authorization for the City Manager to execute a Joint Use Agreement between Southern California Edison Company and the City of Visalia for relocation of power poles on the east side of McAuliff Street north of Walnut Avenue.
- e) Authorization for the City Manager to negotiate an agreement with the County of Tulare to obtain jurisdiction of Shirk Avenue between Caldwell Avenue and Riggins Avenue.

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

- 1. **Ordinance 2004-25** approving the sale of City owned property located at the southwest corner of the intersection of Ferguson Avenue and Linwood Street (APN 077-30-048) to Steve and Julie Mitchell.

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

- 1. Goshen Avenue and Ben Maddox Way Widening project. Project No. 3011-720000-0-0-9538-2002.
- 2. Eagle Glen Subdivision No. 1, containing 56 lots, located on the east side of McAuliff Street between Walnut Avenue & Feemster Avenue.

Digital
Recording
Track 6

DL/PC 5-0
Approved

5. PROTEST HEARING -

Intention to Form Open Space District No 86, Sierra Point Villas **Resolution No. 2004-92 required.**

Engineering staff David Jacobs presents item and notes that no written protest has been filed. Item approved.

6. PUBLIC HEARING -

An appeal by Ricardo Vasquez of the Planning Commission's approval of Conditional Use Permit No. 2004-27 and Parcel Map 2004-14. A request by Visalians Interested in Affordable Housing to allow a planned unit development of 4 single-family units and to divide 0.7 acres into 4 lots and a common area. The site is located at 1631 North Encina Street (APN 091-161-38) **Resolution 2004-93 and 2004-94 required.**

Applicant Ricardo Vasquez requests a continuance of this item to October 4, 2004, staff concurs. Item approved.

Digital
Recording
Track 7

Motion to
Continue to
10/4/04
GK/DL 5-0
Approved

7. PUBLIC HEARING -

To receive comments regarding the Draft 2004/2005 Disadvantaged Business Enterprise (DBE) Program and Overall Goal for transportation and transit projects, and adopt the Final

Digital
Recording
Track 8

2004/2005 Disadvantaged Business Enterprise Program and Overall Goal. **Resolution 2004-95 required.**

Engineering staff Michael Carr presents item and addresses Council's comments & questions.
Public Hearing Opened; no speakers; Public Hearing Closed. Item approved.

DL/PC 5-0
Approved

Per request of staff Item 8 will be continued to Monday, October 4, 2004 (Motion required.)

Motion to
Continue to
10/4/04
GK/JG 5-0
Approved

8. PUBLIC HEARING - Review and adoption of the required evaluation and performance report for the use of the FY 2003-2004 Federal grant funds (HUD CDBG & HOME).
Resolution No. 2004-xx required.

Staff requests this item be continued to October 4, 2004. Item approved.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

None.

Adjourn

SUBMITTED:

Roxanne Yoder, Chief Deputy City Clerk