

Visalia City Council Action Agenda

For the regular meeting of: Monday, August 6, 2007

Location: **Convention Center, 303 E. Acequia, Visalia**

Note: meeting location has been changed due to temporary equipment technical difficulties in the 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.

EMPLOYEE INTRODUCTION

Introduction of new Contract Fire Inspector Kurtis Brown by Charlie Norman, Visalia Fire Department Battalion Chief

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Public Comment on Work Session Items -

Track 1
DL/BL 5-0

1. Request by Mayor Gamboa to initiate a General Plan Amendment to consider possible land use re-designation of property located on the east side of North Dinuba Boulevard between the St. John's River and Shannon Parkway extension from Residential to Commercial.

Mayor Gamboa recommended the Council initiate a General Plan Amendment. Mike Olmos, Assistant City Manager, answered questions posed by Council.

Motion: DL/BL 5-0 to initiate a General Plan Amendment to consider redesigning property located on the east side of North Dinuba Blvd., between Shannon Parkway extension and the St. John's River from Residential to Commercial.

Track 2
Info only - no
action taken

2. Tulare County Emergency Medical Services Overview

Ray Bullick, Tulare County Health and Human Services introduced Dan Lynch and Dale Dotson of the Central California EMS Agency. A PowerPoint presentation was given to Council with a brief overview of the EMS System, identifying problem areas that impact level of services, and potential solutions to resolve EMS response issues. A countywide single provider agreement was presented as a possible solution. Council discussed the presentation and posed questions which were answered.

3. *Item removed at the request of staff*

The time listed for each work session item is an estimate of the time the Council will address that portion of the agenda. Members of the public should be aware that the estimated times may vary. 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)

4. Conference with Legal Counsel – Potential Litigation
(Subdivision (b) of Section 54956.9 GC): two potential cases

5. Conference with Real Property Negotiators (G.C. §54956.8)
Property: Oval Service Center 808 North Court
Under Negotiation: Terms of agreement
Negotiating Parties: Steve Salomon, City Manager; Carol Cairns, Assistant City Manager

6. Conference with Real Property Negotiators (G.C. §54956.8)
Property: Southeast corner of Noble and Roeben, APN 097-450-001
Under Negotiation: Price, terms, and conditions of purchase
Negotiating Parties: Steve Salomon, Andrew Benelli, Sierra Village Retirement Community

7. Conference With Real Property Negotiators (G.C. §54956.8)
Property: APN: 097-054-012 (no address), 094-305-009 (no address), 516, 504, 502, 500 S. Santa Fe (APN:097-121-008, 020, 010, 019), 516 E. Mineral King Avenue (APN: 094-221-006), 324 S. Santa Fe (APN: 094-221-012)
Under Negotiation: Consideration and approval of appraisals; Authority to negotiate price, terms and conditions of potential purchase
Negotiating Parties: Steve Salomon, Andrew Benelli, Colleen Carlson, North Star Management, Richard and Rebecca Dowling, Kelley Cusenbary, Robert Schumacher, French Camp, LLC, Chee Ping Lee and Chui Ping Lam, C.M. Jothan, Trustee of the Minson Trust, Steven and Helen Copley, Magdy Maksy, Mission Linen Supply, Wayne and Mary Yada, Co-Trustees of the Yada Family Trust, Carl and Susan Niederreiter

Track 3

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE – Council Member Greg Collins

INVOCATION – Pastor Arthur Escobedo, Praise Center Church

SPECIAL PRESENTATIONS/RECOGNITION - Presentation of award from American Planning Association to Craig Mangano and the City of Visalia in recognition of the superior design of Village at Willow Creek Specific Plan

<p>Fred Brusuelas informed Council that Mangano Company and the City of Visalia were presented the Neighborhood Planning Award from the American Planning Association in recognition of the superior design of Village Willow Creek Specific Plan. Mr. Peck from Mangano Company was present and spoke regarding accepting the award.</p>

Track 3
(continued)

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.

Council Member Kirkpatrick read a statement regarding his decision not to seek re-election.

Police Chief Bob Carden spoke about a spike in gang activity in the month of July and what the Visalia Police Department is doing to keep the community safe.

Jeff Nunes, spoke about the city's strict zoning requirements for medical marijuana facilities.

Dean Mann, complimented the City on being one of two cities in the Central Valley to become Cool Cities. He urged the City Council to go beyond their current jurisdiction and look at issues that arise in surrounding areas.

Track 4

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Council member Kirkpatrick pulled item 8d and 8e for further discussion. Council Member Collins pulled items 8f and 8g for further discussion. The balance of the consent items were approved as submitted.

GK/DL 5-0
approve
balance of
consent
calendar

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) Authorization to appropriate funds for the operation of the after school enrichment program at the Manuel F. Hernandez Community Center. Said funds will be reimbursed to the City of Visalia by Visalia Unified School District with ASES grant money.

c) Authorization to bid the construction of the Northwest Fire project located at Shirk and Ferguson without the requirement for the payment of prevailing wages pursuant to Resolution NO. 83-02.

d) Authorize the City Manager to execute the Memorandum of Understanding for Miscellaneous Managers and Supervisors (City of Visalia Bargaining Group E) for the period of July 7, 2007 through June 30, 2010.

e) Authorize the City Manager to execute the Memorandum of Understanding for Northern California Carpenters Regional Council (City of Visalia Employee Bargaining Unit Group M) for the period of July 1, 2007 through June 30, 2010.

GK/DL 5-0 to
approve # 8d
& #8e as
submitted

Council Member Kirkpatrick congratulated staff members Janice Avila and Eric Frost for their

efforts in reaching agreements with all bargaining groups. Items 8d and 8e approved as submitted.

GK/DL 5-0
approve # 8f

- f) Authorization for staff to work with the San Joaquin Valley Clean Energy Organization to develop a Memorandum of Understanding under which the non-profit organization would assist the City in developing clean energy programs, and authorize the Mayor to send a letter of appreciation to the California Partnership for the San Joaquin Valley which is a sponsor of the clean energy organization.

Council Member Collins said this is a good first step and asked staff to look into what the City of San Diego is doing, at no cost to the city, in installing solar panels as alternative sources of energy.

GK/DL 5-0
approve #8g

- g) Receive and file report on Essential Air Service proposals for the Visalia Airport. Recommendations to be made at the August 20, 2007 Council meeting.

Council Member Collins expressed his comments regarding Great Lake Aviation and their strong desire to become a part of this community.

Authorization to file Notice of Completion on the following:

- h) Community Campus of Visalia City project located at 310 Northwest Third Avenue.
- i) Hall Estates, containing 30 lots, located at the Northeast corner of Cherry Avenue and Lovers lane.

Authorization to Record final Map on the following:

- j) Final Parcel Map 2006-03, located at the northeast corner of Mineral King Avenue and Cain Street. APN: 098-120-001

Track 5

DL/BL 5-0
Item #9
approved

9. **Public Hearing.** Authorization to amend the City's Rates and Fees for Solid Waste and Sanitation (wastewater) effective for 5 (five) fiscal years beginning September 1 for 2007, April 1 for 2008, and for the remaining 3 (three) fiscal years beginning July 1, 2009. **Resolution 2007-68 required.**

Gus Aiello gave a PowerPoint presentation, reviewed the public noticing efforts for the public hearing. Alex Peltzer, City Attorney, determined that the noticing was sufficient. Council questions were answered by staff.

The public hearing was opened at 8:05 p.m.

Maile Melkonian asked about the exact amount of the increase and if it would be compounded over the five year period.

There were no more public comments and the public hearing was closed at 8:10 p.m.

Track 6

BL/DL 4-1
Uphold
appeal
GC = No

10. **Public Hearing** - An appeal by Darlene Mata (agent) on behalf of Paul Daley (applicant) of the Planning Commission's approval of Conditional Use Permit 2007-23, a request by applicant to amend Conditional Use Permit No. 2004-40 to allow modified yard setbacks in the multi-family component of the Avalon Planned Residential Development. The appeal pertains specifically to Condition #10, which requires that one common property management entity for maintenance and management of all lots that comprise the project. The site is located on the northwest corner of North Demaree Street and West Riggan Avenue (APN: 077-620-092 through 077-620-099) **Resolution 2007-67 required.**

Paul Bernal presented the staff report. The public hearing was opened at 8:28 p.m. Darlene Mata (agent for the applicant Paul Daley) spoke about Condition #10 imposed by the Planning Commission which requires one common property management entity for maintenance and management of all lots that comprise the project. Mata feels these conditions can be accomplished by other means.

The public hearing was closed at 8:32 p.m.

Council discussed their reasons for supporting the appeal or siding with the Planning Commission's action.

The appeal was upheld and a revised resolution will be brought back to Council for adoption at the next meeting.

Council asked that the Good Neighbor Policy/Home Owners Association be added to the agenda for the next joint meeting with the Planning Commission.

Council Member Collins also asked that staff visit apartment complexes that have gone awry to discover the reasons and what can be done to rectify to ensure that apartment complexes don't become disruptive to the neighbors.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	Mangano Homes	085-010-096	16.381 acres btw St. Hwy. 198 and Tiffany Ranch Subdivision	Scenic Corridor	7/18/07	M. Olmos
City of Visalia	Faria Family	Various parcels including the following APNs and/or Portions of: APN-119-021-016, 119-021-010, 119-021-018, 119-021-008, 119-021-007	Approx 99.1 acres South Shirk Road	Airport Clear Zone	7/20/07	C. Carlson
City of Visalia (RDA)	Ringsdorf Family Trust	094-053-018	111 NW 5 th Street (four-plex)	Community Campus	7/27/07	C. Carlson
City of Visalia (RDA)	Ringsdorf Family Trust	094-053-019	113 NW 5 th Street (sf dwelling)	Community Campus	7/27/07	C. Carlson

Council adjourned at 8:55 p.m. and announced that they would return to Closed Session to continue discussion on Item #5.

Upcoming Council Meetings

Monday, August 20, 2007, 4:00 p.m. – City Council Chambers, 707 W. Acequia

Tuesday, September 4, 2007 – City Council Chambers, 707 W. Acequia

Monday, September 17, 2007 – City Council Chambers, 707 W. Acequia

Work Session 4:00 p.m.

Regular Session 7:00 p.m.

City Hall Council Chambers

707 West Acequia Avenue

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

8/7/07

Submitted by Donjia Huffmon, Chief Deputy City Clerk