

# Visalia City Council Action Agenda

For the regular meeting of: Monday, August 20, 2007

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

Mayor: Jesus J. Gamboa (absent)  
Vice Mayor: Greg Kirkpatrick (present)  
Council Member: Greg Collins (present)  
Council Member: Donald K. Landers (present)  
Council Member: Bob Link (present)

*Note: meeting location has been changed due to temporary equipment technical difficulties in the Council Chambers*

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.

Track 1

## **EMPLOYEE INTRODUCTIONS**

- Introduction of Adrian Rubalcaba, Assistant Engineer, by Andrew Benelli, Director Public Works Department.
- Introduction of Shawn Ogletree, Natural Resource Conservation Manager, by Leslie Caviglia, Deputy City Manager.
- Introduction of Jason Montgomery, Financial Analyst, by Gus Aiello, Finance Manager.

## **WORK SESSION AND ACTION ITEMS (as described)**

**4:05 p.m.**

### **Public Comment on Work Session Items -**

Track 2

1. Annual Report by the Visalia Parks & Recreation Foundation, Thora Guthrie, Executive Director

Thora Guthrie, Executive Director of the Visalia Parks and Recreation Foundation presented the annual report which included the organization's accomplishments through events and fundraising activities. A check for \$100,000 was presented on behalf of the Foundation to the City of Visalia for the new Sports Park.

Track 3

2. Request for the Visalia Police Department to join Project Lifesaver, a program to facilitate rapid location of missing persons suffering from dementia, Down's Syndrome, and autism.

Captain Rick Haskill, and Sergeant David Jarrett, Visalia Police Department showed a DVD presentation of Project Lifesaver, a law enforcement based program to aid victims and families suffering from Alzheimer's disease and related disorders. The mission is to locate and rescue missing persons. The program comes highly recommended by other law enforcement agencies.

Council Member Landers asked that options such as a GPS system be investigated for comparison of costs.

3. Visalia Police Department Gang Suppression, Intervention and Education Strategies

Assistant Police Chief Dennis Swiney and Lt. Jason Salazar presented the Police Department’s efforts and strategies for suppressing gang violence in the City of Visalia. The Police Department is working closely with allied agencies in combating the gang problem in Visalia and surrounding areas.

The Council expressed their appreciation for the outstanding efforts of the PD and it’s willingness to collaborate with other agencies.

Council Member Collins asked that the Police Department forward to the Council statistics of those who were recently arrested and that are currently still in jail.

Vice Mayor Kirkpatrick received public comments:

Juan Guerrero, Wittman Center, said the Youth Service Officers are a great asset and appreciates the presence of the PD. Mr. Guerrero introduced Joshua Huerta a former gang member who is now a paid counselor at the Wittman Center to outreach to gang members.

Joshua Huerta, explained how Neighborhood Youth Counselors can provide outreach and education to at-risk youth.

Joe Savalla, commended the Police Department on their efforts and asked that a citizen community council be formed to get citizen input of Visalians and surrounding areas.

Amy Shuklian, thanked the Visalia Police Department for apprehending a suspect in a recent shooting in her neighborhood today.

*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**

Fire Chief George Sandoval, announced his retirement as of September 1, 2007. Council expressed appreciation to Chief Sandoval for his years of service.

Motion to add a personnel item to closed session.

BL/DL 4-0  
Add  
personnel  
item to closed  
session  
agenda

**CLOSED SESSION**

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

4. Conference With Real Property Negotiators (G.C. §54956.8)

Property: 516, 504, 502, 500 S. Santa Fe (APN:097-121-008, 020, 010, 019)

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, Chee Ping Lee and Chui Ping Lam, C.M. Jothen, Trustee of the Minson Trust, Steven and Helen Copley, Magdy Maksy

5. Conference with Legal Counsel – Potential Litigation  
(Subdivision (b) of Section 54956.9 GC): two potential cases
6. Conference With Real Property Negotiators (G.C.§54956.8)  
Property: 311 N. Giddings Street (APN: 093-263-007)  
Under Negotiation: Authority to negotiate purchase terms and conditions  
Negotiating Parties for City: Steve Salomon, Mike Olmos, Ricardo Noguera, Colleen Carlson  
Negotiating Parties for Seller: Don Hutton for Owners Juan and Patricia Ruiz

Track 5

## **REGULAR SESSION**

**7:10 p.m.**

### **PLEDGE OF ALLEGIANCE**

**INVOCATION** – Father Tancredo Pastores, Jr., St. Paul’s Episcopal Church

### **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.

Vice Mayor Greg Kirkpatrick acknowledged council candidates who were present: Mary Wheeler, Tim Fosberg, Amy Shuklian.

Ryan Sullivan, attorney representing Mr. Dan Whitlatch, spoke about his client’s oak tree removal citation. Mr. Sullivan gave written material to Council. Vice Mayor Kirkpatrick advised Mr. Sullivan about following the administrative citation process.

Warren Kaplan, Vision Airlines, introduced himself and his company as one bidding on the Essential Air Service for Visalia.

Joe Cusenza, distributed a report from the California Homebuilding Foundation entitled “The Housing Bottom Line”, to Council.

### **CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION**

Council Member Landers asked that item 7d be pulled from consent calendar and discussed separately. Council Member Collins asked that items 7g and 7i be pulled from consent calendar and discussed separately.

BL/DL 4-0  
Approve  
balance of  
Consent  
Calendar

7. 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) Receive Planning Commission Action Agenda for the meeting of August 13, 2007.

c) Request authorization to file a Notice of Completion for Project No. 1241-00000-720000-0-9211 the Caldwell Avenue Widening Project from West Street to Santa Fe Street.

DL/BL 4-0  
Item 7d  
approved

d) Authorize the Recordation of the Final Map for The Village at Willow Creek, located at the northeast corner of Demaree and Riggins (8 lots) and the formation of Landscape and Lighting District No. 07-10, The Village at Willow Creek. APN: 078-210-006. **Resolution 2007-69 and 2007-70 required.**

Council Member Landers had questions regarding the timeline for the street improvements. Andrew Benelli, Director Public Works, responded to questions. Council Member Kirkpatrick said that Exhibit "A" in the agenda packet referred to Assessment District No. 07-08 and the correct Assessment District No. is 07-10. Corrected copies were distributed.

e) Adoption of Resolution upholding the appeal of Conditional Use Permit 2007-23, and amending the Planning Commission's Approval. (APN: 077-620-092 through 077-620-099) **Resolution 2007-67 required.**

f) Recommendation to approve a three (3) year lease agreement between the City of Visalia and Ronald and/or Sherri Jones (Visalia BMX) for use of the designated BMX track area at Visalia Riverway Sports Park

g) Accept the City of Visalia Cash and Investment Report for the fourth quarter ending June 30, 2007.

DL/BL 4-0  
Item 7g  
approved.

Council Member Collins had questions regarding investments sold in 2006. Council Member Landers asked that the Council be provided fund balances for funds in the General Fund budget. Cass Cook responded to questions of Council.

h) Authorization to request CALPERS to conduct a division election to allow employees hired prior to April 1, 1986 to voluntarily participate in Medicare coverage. **Resolution 2007-71 required.**

DL/BL 3-1  
Collins = No  
Item 7i  
approved

i) Authorize the City Manager to execute an agreement, in the amount of \$1,855,010.00, with TRC and Quad Knopf to prepare a Project Report for the Plaza Drive/ S.R. 198 Interchange and prepare plans & specifications and estimates to widen Plaza Drive between Airport Drive and Goshen Avenue. (CIP Project No. 9438)

Council Member Collins asked about the proposals submitted for the project. Andrew Benelli, Public Works Director, explained that this company was chosen because the proposal was very detailed and included the entire scope of the project; where the other company's proposal didn't appear to be accurate. Council Member Collins asked about costs and timeline of reconstructing the interchange. Mr. Benelli indicated it would be at least a two year project.

j) Authorization to appropriate asset forfeiture funds in the amount of \$42,659.00 to provide a Tulare County Probation Officer to the Visalia Police Department Special Enforcement Bureau and \$20,120 to fund start -up costs and first year operations for Project Lifesaver.

k) Request authorization to file a Notice of Completion for Project No. 4511-00000-720000-0-9399, the food concession space located at the Transit Center 445 E. Oak.

l) Update on Essential Air Service Process and continued review of proposals.

DL/GC 4-0  
continue Item  
#8 to 9/17/07

8. *Continue to September 17, 2007 at the request of staff (motion required)*

**PUBLIC HEARING**

a) Certification of Negative Declaration No. 2007-047 for Annexation No. 2007-01 (Vargas), and Expansion of the Sphere of Influence.

b) Initiation of Proceedings for Annexation No. 2007-01 (Vargas), and expansion of the City of Visalia Sphere of Influence to accommodate the Annexation: A request by David and Ana Vargas, applicant (MSJ Partners, agents) to annex three parcels and right-of-way totaling 482.6 acres into the City limits of Visalia and to expand the Local Agency Formation Commission (LAFCO) Sphere of Influence for the City of Visalia to include 640 acres currently located inside the City of Visalia's 129,000 Population Urban Development Boundary. The property is located on the west and east sides of Plaza Drive (Road 80) between Riggin Avenue and Road 320 in the County of Tulare. (APN: 077-120-008, 010, 014)

DL/GC 4-0  
continue Item  
#9 to 9/17/07

9. *Continue to September 17, 2007 at the request of staff (motion required)*

**PUBLIC HEARING** to consider increasing the Transportation Impact Fees.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

**REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS**

**Upcoming Council Meetings**

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

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

Tuesday, September 18, 2007, 6:00 p.m. - Joint City Council/Visalia Unified School District - Convention Center, 303 E 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.

Submitted by Donjia Huffmon, Chief Deputy City Clerk