

Visalia City Council Action Agenda

For the regular meeting of: Monday, December 17, 2007

Location: City Hall Council Chambers, 707 W. Acequia, Visalia CA 93291

Mayor: Jesus J. Gamboa - present
Vice Mayor: Bob Link - present
Council Member: Greg Collins - present
Council Member: Donald K. Landers - present
Council Member: Amy Shuklian - present

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

WORK SESSION AND ACTION ITEMS (as described)

4:30 p.m.

Public Comment on Work Session and Closed Session Items -

1. Status report on East Downtown Projects - priority list and schedule.

Ricardo Noguera presented the semi-annual report and reviewed plans for the East Downtown Area and specific projects. Mike Olmos was concluded the presentation and both Noguera and Olmos responded to Council comments and questions. No action taken - information only.

Track 3

2. Review Transportation Impact Fees and progress to date.

DL/GC 5-0 to approve reimbursements as per staff report

Eric Frost, Andrew Benelli and Doug Damko were present to review and answer Council's comments and questions regarding the Transportation Impact Fees and progress to date. All reimbursements over \$100,000 will require Council approval. Steve Salomon gave further clarification and history of the fees.
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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.

Track 2

ITEMS OF INTEREST

Mayor Gamboa commented that the Council has received a letter from the Mayor of Lake Forrest thanking the City of Visalia fire fighters for their help in the recent wild fires.
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Council Member Collins commented on a note the Council received from a private citizen praising the City of Visalia GIS system that is accessible on-line.
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CLOSED SESSION

5:40 p.m.

4. Conference With Real Property Negotiators (G.C. §54956.8)
Property: 324 Santa Fe (APN:094-221-012)
Under Negotiation: Price, terms and conditions of potential purchase; update re previously authorized negotiations
Negotiating Parties: Steve Salomon, Andrew Benelli, Colleen Carlson, Wayne and Mary Yada, Carl Niederreiter
5. Conference with Legal Counsel - Anticipated Litigation (Subdivision (b) of 54956.9 GC) One potential case
6. Conference with Real Property Negotiators (G.C. §54956.8)
Property: NE corner of Tipton and Oak Avenues (Liner Building)
Under Negotiation: Price, terms, conditions of lease
Negotiators: Steve Salomon, Ricardo Noguera
7. Conference with Labor Negotiators (G.C. §54957.6)
Agency designated representatives: Steve Salomon, Eric Frost, Janice Avila
Unrepresented employees: all groups
8. Conference with Real Property Negotiators (G.C. §54956.8);
Property: Parcel B of Parcel Map No. 4801
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Don Stone, Paul Shepard, Jim and Lana Cooper and Ron and Patty Radish

Track 4

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Cliff Sabroe, Minister, West Visalia Church of Christ

SPECIAL PRESENTATIONS/RECOGNITION

Recognition of the Central Section Division 2 Champions El Diamante High School Miners Football Team and its 12-1 season.

VUSD Superintendent Stan Carrizosa, Football Coach Rogers. Athletic Director Flannery and four football players came to Council to present valley championship t-shirts to the Council and City Manager. Council Member Shuklian presented a Resolution of Commendation to the Miners Football team.
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Track 5

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.

George and John Kouchoukian spoke to Council regarding an April 2006 incident and their ongoing concerns regarding the police investigation. Mayor Gamboa indicated that he has meet with Mr. George Kouchoukian and the police department has investigated. Council Member Landers indicated there are options for recourse either through the District Attorney, Grand Jury, Attorney General or by filing a civil suit. The Kouchoukians were asked to meet with VPD Lt. Lynn and share any new information with him.

Track 6

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

DL/BL 5-0
approve
balance of
consent
calendar

Council Member Collins pulled items 9c, 9f, and 9g to discuss separately. Council Member Landers pulled item 9i to discuss separately.

9. 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 December 10, 2007.

c) Request to revise the payment length on the Chamber's Parking In-lieu note and permit quarterly payments on the Parking In-lieu and Land Purchase notes.

DL/BL 4-1
Gamboa - No
Item 9c
approved

Council Member Collins asked questions regarding the interest rate and terms. Eric Frost responded to questions.

d) Authorization for City Manager to execute contracts with "GEOCON" Consultants and "Brown and Caldwell" Consultants using approved EPA Grant funds for Brownfield Assessments and Clean-up.

e) Approval of the 2007/08 transit agreement with Tulare County

DL/AS 5-0
Item 9f
approved

f) Authorization to submit a Bicycle Transportation Account (BTA) grant application to install Class 2 bike lanes on Noble Avenue and Mineral King Avenue between Akers Street and Mooney Boulevard and adopt Resolution 2007-102 to provide the 10% local match from the Transportation Fund for this and any future BTA grant applications. **Resolution 2007-102 required.**

Michael Carr responded to Council comments and questions.

GC/AS 5-0
Item 9g
approved

g) Authorization for staff to apply for Congestion Management Air Quality (CMAQ) grants in the amount of \$400,000 for the Packwood Creek/Walnut Avenue Trail, \$700,000 for the Santa Fe Railroad Trail, \$600,000 for the Packwood Creek/Caldwell Trail, \$275,000 for a new traffic signal at the intersection of Demaree Street and Ferguson Avenue and \$275,000 for a new traffic signal at the intersection of Walnut Avenue and Santa Fe Street.

Paul Shepard responded to Council comments and questions.

h) Award Landscape Maintenance Contracts districts A and districts B to Patrick Brumm of Sacramento Weed and Growth Regulators per specifications of RFB 07-08-21.

i) Award contract for the renovation of the Plaza Park irrigation system for the bid amount of \$607,496.80 to Westscapes, Inc. in accordance with bid specifications of RFB 07-08-33.

GC/AS 4-1
Landers = No
Award base
bid and
renegotiate
the alternate
bids

Council Member Landers motioned to reject all bids and re-bid the project to include the alternate bids as one complete package. Motion died for lack of second.

Vince Elizondo responded to Council comments and questions regarding timing and loss of activities if project is re-bid.

Motion GC/AS to award contract to Westscapes Inc. for the base bid amount and re-negotiate the alternate bids 1 and 2 for a better price.

j) Authorization for staff to apply for a Public Transportation Modernization, Improvement, and Service Enhancement (Prop 1B) grant in the amount of \$1,015,390 for development of a Visitor/Sequoia Shuttle information center and/or additional parking near the Visalia Transit Center.

k) Authorization to file Notice of Completion for Pheasant Ridge Unit No. 1- Ferguson Avenue Extension, and adopt Resolution 2007-103 authorizing the acceptance of an "Irrevocable Offer of Dedication" for right-of-way purposes for Ferguson Avenue, as offered per Document No. 2005-0052961 T.C.R., dated May 20, 2005. **Resolution 2007-103 required.**

l) Authorization to record Final Map for Tentative Parcel Map 2007-05, located in the NW corner of Riggin Ave. and Dinuba Blvd. (3 lots), authorize the City Manager to sign the Subdivision Improvement and Reimbursement Agreements and authorize the formation of Landscape and Lighting District No. 07-17. APN 078-120-010. **Resolutions 2007-104 and 2007-105 required.**

Track 7

10. Reconsideration of General Plan Amendment Initiation regarding land south of the St. John's River along the east side of North Dinuba Avenue.

DL/GC

2 yes

3 no

Motion failed

Council Member Landers recommended that the City Council reconsider the General Plan Amendment Initiation from Residential to Commercial along North Dinuba Boulevard south of the St. John's River

Mayor Gamboa urged the Council to continue with the General Plan Amendment initiation as discussed in August 2007.

Motion DL/GC to discontinue and table the initiation of the General Plan Amendment.
Motion failed 2-3 (Landers - yes; Collins - yes; Gamboa - no; Link - no; Shuklian - no)

REPORT ON ACTIONS TAKEN IN CLOSED SESSION - None

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS - None

Upcoming Council Meetings

- Monday, January 7, 2008, Work Session 4:00/Regular Session 7:00 p.m. – City Council Chambers
707 W. Acequia
- Tuesday, January 22, 2008, Work Session 4:00/Regular Session 7:00 p.m. – City Council Chambers
707 W. Acequia
- Friday/Saturday, January 25-26, City Council Strategic Planning; Fri 12-9 p.m. Sat 8-3 p.m. –
Convention Center
- Tuesday, January 29, 2008; 6:00 p.m. - Joint Meeting with Visalia Unified School District –.5000
West Cypress Avenue, VUSD Board Room

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.

Any written materials pertaining to items on this agenda that are distributed to the Council are available for public review at the Office of the City Clerk, 425 E. Oak Street, Visalia, CA 93291

Submitted by Donjia Huffmon, Chief Deputy City Clerk