

# Visalia City Council Action Agenda

Intro

For the regular meeting of: MONDAY, April 7, 2008

Location: **CITY HALL COUNCIL CHAMBERS, 707 W. Acequia, Visalia 93291**

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

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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.

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## EMPLOYEE INTRODUCTION

Tina McHenry, Construction and Demolition Office Assistant - introduction by Earl Nielsen

Earl Nielsen introduced new employee Tina McHenry with Public Works.

## WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

### Public Comment on Work Session and Closed Session Items -

Item 1  
DL/AS  
5-0  
Approved as  
Amended

1. Authorization for the City Council to submit comments on the San Joaquin Valley Blueprint process to Tulare County Association of Government (TCAG)

Assistant City Manager Mike Olmos introduces item and provides a PowerPoint slide presentation on item. Council direct staff to amend and add the following several recommendations regarding: Emphasis City centered growth concept, large lot ag zoning between city limits and urban area boundaries, and regional ag mitigation program.

Item 2  
No Action  
Taken

2. Review draft 2008-09 Action Plan budget for the use of the Community Development Block Grant (CDBG) and HOME Investment Partnership Grant Funds (HOME) from the Department of Housing and Urban Development (HUD)

Ricardo Noguera and Rhonda Haynes presented the draft 2008/09 Action Plan to Council. Final recommendations will be presented to Council at the next council meeting on April 21.

Item 3  
No Action  
Taken

3. Update on activities undertaken by the Natural Resource Conservation Division since its inception in August 2007.

Deputy City Manager Leslie Caviglia and Natural Resource Conservation Manager Shawn Ogletree gave an overview and answered questions.

## ITEMS OF INTEREST

Councilmember Shuklian attended a canine trial in Visalia and said it was quite an event. Councilmember Landers request that this event be place on the Council calendar next year.

Meeting  
Adjourned to  
Closed  
Session

**CLOSED SESSION**

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

- 4. Public Employee Appointment - GC 54957  
Title: Fire Chief, City Attorney
- 5. Conference with Legal Counsel – Anticipated Litigation (5 potential cases)  
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
- 6. Conference with Real Property Negotiator (GC 54956.8  
Property: 3506-3530 N. Dinuba Blvd. (079-071-020)  
Under negotiation: Approval of price, terms and conditions of purchase contract  
Negotiating parties: Steve Salomon, Andrew Benelli, Colleen Carlson, Colegio De La Tierra, Inc.

Reconvene  
To Regular  
Session

**REGULAR SESSION**

**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Chaplain Kent Mishler, Kaweah Delta Hospital

**SPECIAL PRESENTATIONS/RECOGNITION**

Mr. Mishler report on his wife’s (Katie Mishler) fundraising project with the Leukemia – Lymphoma Society. She is participating in a marathon in San Diego and appreciates any donation for the cause.

**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 street name and city.

Dale Simmons spoke to support bicycle lanes on Acequia and would like Councils support. Hope Raycraft reported traffic problems and shots fired in her area near North Thomas Court and would like police patrol. Mrs. Raycraft was directed to talk to Chief Carden regarding this issue.

Item 7  
No Action  
Taken

- 7. INFORMATION ONLY - no action required. Receive Planning Commission Action Agenda for the meeting of March 24, 2008.

No Action Taken.

Item 8  
DL/BL  
5-0  
Approved

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

Councilman Landers pulled 8f, 8q, for clarification. Vice Mayor Link pulled 8g for comments.

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) Second reading of Ordinance 2008-02 authorizing contract amendments with CalPERS.

c) Introduction of Ordinance 2008-04 repealing Section 9.04.050 Chapter 9.04 of the Visalia Municipal Code Relating to Possession of Intoxicating Beverages and replacing it with Section 9.04.050 Intoxicating Beverages – Consumption on Public Streets, etc., and on Commercial Parking Lots and Adjacent Land unlawful. **Ordinance 2008-04 required** (1<sup>st</sup> reading).

d) Appointment of Don Landers to serve as a Council representative on the Visalia Convention and Visitors Bureau Board of Directors.

e) Authorization to join the International Council for Local Environmental Initiatives (ICLEI) and contract with the San Joaquin Valley Clean Energy Organization and Strategic Energy Innovations (CEI) to conduct the City's initial greenhouse gas (GHG) emission inventory.

f) Award contract for the Pinkham Street and Walnut Avenue Signal Improvements Project to A-C Electric Corporation in the amount of \$191,264; project No. 1111-9804.

Councilmember Landers asked about signal synchronization. Eric Bons responded to the questions.

Item 8f  
GC/AS  
4 - 1  
Landers-NO  
Approved

g) Authorization to submit a grant application in the amount of \$60,327 to the California Department of Transportation for a Regional Transit Information Call Center.

Vice-Mayor Link questioned the time constraints of the call center. Transit Manager Monty Cox responded to Vice-Mayor Link's questions explaining the process of the project and explained this is the first step.

Item 8g  
BL/AS  
5-0 Approved

*Authorization to file Notice of Completion for the following projects:*

h) Park Place, Unit No. 1, containing 139 lots, located at the Northeast corner of Pinkham Street and Caldwell Avenue.

i) Park Place, Unit No. 2, containing 70 lots, located at the Westside of Lovers Lane between K Road and Caldwell Avenue.

j) West Park, Unit No. 1, containing 153 lots, located at the Northeast corner of Akers street and Visalia Parkway.

k) West Park, Unit No. 2, containing 144 lots, located North of Visalia Parkway between Akers Street and Linwood Street

l) Shannon Ranch 5, 6, & 11 containing 95 lots located on the south side of Pratt Ave between County Center Dr & Demaree St.

m) Shannon Ranch 8 & 9, containing 96 lots, located on the north side of Riggins Ave between County Center and Demaree.

- n) Recreation Park Stadium Demolition and Over-Excavation Project (0011-15152-72-0-8037).
- o) Riverwood Unit #1, containing 167 lots, located at the northeast corner of Mineral King Ave. and McAuliff Street.
- p) Riverwood Unit #2, containing 90 lots, located at the northeast corner of Mineral King Ave. and McAuliff Street.
- q) Woodland Street - Street and Signal Improvements Project with the final contract amount of \$505,034.86. Project Nos. 1611-9769 and 1241-9751.

Item 8q  
DL/AS  
5-0  
Approved

Councilmember Landers asked staff to explain signal synchronization in this project. Eric Bons responded to Councilmember Landers' questions and explained that it is wired for synchronization.

- r) Village West Street Reconstruction Project with the final contract amount of \$89,082.50 and transfer an additional \$3,214.16 from the Street Overlay account. Project No. 2012-8006.

Item 9  
BL/GC  
3-2  
Gamboa-NO  
Landers-NO  
Uphold the  
Denial

9. **PUBLIC HEARING** - Appeal of Planning Commission Denial of Conditional Use Permit No. 2008-05: a request by Donahue Schriber Realty Group, L.P. to amend Conditional Use Permit No. 2007-13 by allowing on-site lumber off-loading, handling activity, and truck delivery hours before 7:00 a.m. and after 10:00 p.m. at an approved home improvement store (Home Depot). The site is located at the northwest corner of Dinuba Boulevard and Riggin Avenue in the City of Visalia, County of Tulare. APN: 078-120-010. **Resolution 2008-18 required.**

Planner Brandon Smith updated Council regarding the appeal. Mayor Gamboa opened the Public Hearing: Developer Mike Lieberman introduced a representative from Home Depot Scott Mullmer which gave a handout to explain the issues regarding the Home Depot delivery times and noise issues. Planner Paul Scheibel clarified concerns and questions regarding time issues and noise levels. Closed Public Hearing - Council denied the appeal and upheld the Planning Commission's denial of Conditional Use Permit No. 2008-05.

10. Review of select FY 2008-09 & 2009-10 Capital Improvement budgets and future Capital Improvement Program (CIP) requests.

Item 10  
No Action  
Taken

Financial Analyst Melody Murch and staff presented and reviewed items regarding CIP budget. Council's questions will be addressed and remarks will be added to line items for the final. Next set of CIP items will be presented at the next Council meeting on April 21.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

None

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

Closed  
Session

City Attorney Alex Peltzer reported on the items listed below.

Adjourned to  
Continuance  
of Closed  
Session

<b>Buyer</b>	<b>Seller</b>	<b>APN Number</b>	<b>Address</b>	<b>Purpose</b>	<b>Closing Date</b>	<b>Project Manager</b>
City of Visalia	Yada Family and Carl Niederreiter	Portion of APN 094-221-012 203.99 sq. ft	324 Santa Fe	198/Santa Fe Overcrossing	3/14/08	Andrew Benelli
City of Visalia	Midstate Hayes 184 Distribution Ctr.	Portions of APN 077-360-19&20 2.15 acres total	Rd. 76 north of Ferguson	Storm Pond	3/14/08	Andrew Benelli
City of Visalia	Lauffenberger Family Trust	Portion of APN 122-011-020 828.30 sq.ft.	2000 W. Whitendale	Mooney/Whitendale ROW	3/21/08	Andrew Benelli

SUBMITTED: Susie Alter, Executive Assistant ; Leslie Caviglia, Deputy City Clerk