

Visalia City Council Action Agenda

For the regular meeting of: MONDAY, October 6, 2008

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) 5:30 p.m.

Public Comment on Work Session and Closed Session Items -

DL/AS 5-0
approve Item
#1 as
amended

1. Consideration of recommendations from the Citizen's Advisory Committee and staff regarding changes to the policies and procedures relating to City Committees and Commissions, including consideration of recommendations to change the designation, composition and existence of some committees.

Members of the Citizen's Advisory subcommittee Sylvia Mirwald, Silvia Baggs, George Shelton were present to review their recommendations. Leslie Caviglia, Deputy City Manager, presented staff's recommendations and answered questions from the Council.

Council approved the CAC and staff recommendations with amendments that

- 4 alternates may be appointed for committees with memberships of 12 and over. Two alternates may be appointed for committees with membership under 12.
- Addition of a golf course users group - not council appointed

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

Council Member Landers reminded the Council that their microphones need to be on in order for the meeting to record properly.

Council Member Shuklian reported that she and Council Member Collins attended the Kidney Awareness walk on this past Sunday.

Steve Salomon, City Manager, reported that the State is considering a Special Session to deal with state budget issues.

CLOSED SESSION

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

Adj. to closed
session 6:05
pm

2. Conference With Real Property Negotiators (G.C.§54956.8)
Property: 327 N. Shirk (APN: 081-040-006)
Under Negotiation: Authority to negotiate purchase terms
Negotiating Parties for City: Steve Salomon, Mike Olmos, Adam Ennis, Colleen Carlson
Negotiating Parties for Seller: Jim Olivas, Pearson Realty
3. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of G.C. §54956.9)
Name of Case: Vadnais v. City of Visalia TCSC #08226539
4. Public Employee Release, Discipline or Dismissal (G.C. § 54957)
5. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of G.C. §54956.9)
Name of Case: County of Tulare v. City of Visalia, TCSC #07-224225
6. Conference with Labor Negotiators (G.C.§54957.6)
Agency Designated Representatives: Steve Salomon, Eric Frost
Employee Organization: All Groups

REGULAR SESSION

7:00 p.m.

Open regular
session 7:00
pm

PLEDGE OF ALLEGIANCE

Track 2

INVOCATION – Moment of Silence

SPECIAL PRESENTATIONS/RECOGNITION

Presentation of Proclamation declaring the Week of October 20-24, 2008 National Medical Assistants Week

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.

Track 3

Mike Cromer, representing the Firefighter's Association, invited Council to attend the 7 th Annual Battle of the Badges Blood Drive and to the Chief's donation luncheon on November 3 rd .

Bill Hoult, N Willis, thanked the City for the events at the Oval, the Dump on Us event, and mentioned new ways that metal thieves are using to steal metal.

Eric Zavla, Sportsman's Warehouse, invited Council to the Grand Opening of the new store on November 1st.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Council Member Shuklian requested that item 7g be pulled from consent for further discussion.

Track 4

DL/BL 5-0
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) Adoption of bi-annual update of the list of City of Visalia designated employees and classifications for the purpose of compliance with Chapter 2.08 of the Ordinance Code of the City of Visalia specifying conflict of interest regulations. **Resolution 2008-47 required.**
 - c) Approval of changes in Council committee representatives.
 - d) Notice of Completion for Capital Project # 9301 Cape Seal various City streets (cost \$1,318,325.14).
 - e) Authorize Recordation of the Final Map for Pheasant Ridge Unit No. 3A located on the west side of Roeben Street, approximately 1/4 mile south of Riggin Avenue (12 lots) and the annexation of Pheasant Ridge No. 3A into Landscape and Lighting District No. 05-19, Pheasant Ridge. **Resolutions 2008-48 and 2008-49 required.**
 - f) Authorization to accept an "Irrevocable Offer to Dedicate Real Property" for a portion of the Tulare Avenue right-of-way between McAuliffe Street and Lovers Lane for roadway purposes as offered per Instrument No. 1989-0002513, volume 4791 at page 255, Official Records of Tulare County, recorded January 16, 1989. Project No. 1241-9823. **Resolution 2008-50 required.**
 - g) Authorization to expand the scope of the Recreation Park Stadium Right Field Improvements construction agreement with Seals/Biehle General Contractors to include construction of new dugouts in the existing stadium grandstand berm. Authorization for City Manager to enter into agreement amendments with Seals / Biehle General Contractors, in an amount not to exceed \$715,000, to include construction of dugouts in the existing stadium grandstand berm. Funding for the dugouts is included in the \$11.6 million dollar budget for the stadium expansion. No additional funding is requested. Project #0017-15152-720000-0-8037.

GC/BL 4-1
Shuklian=No
Item #7g
approved

Phyllis Coring gave an update to Council regarding costs of the project.

Council Member Landers congratulated Coring on her retirement as this was her last presentation before Council.

h) Authorization to transfer four (4) parking lots from the Parking fund to the Transit fund for future Transit Center development; and, appropriate funds (from grants already approved) in the amount of \$903,000.

i) Authorize the City Manager to execute Amendment No. 1 to the agreement for use and maintenance of swimming pool facilities with the Visalia Unified School District.

j) Award a construction contract and authorize the City Manager to execute an agreement for the St. Johns River Trail Project (East of McAuliff Street) to the low bidder Yarbs Enterprise, in the amount of \$76,444.00. Project # 3011-00000-720000-0-9716-2008.

8. Status report on Transportation Impact Fees

Track 5
Item #8
information
only - no
motion
required

Andrew Benelli, Public Works Director, Doug Damko, Engineering, Eric Frost, Administrative Services Director, Chris Tavarez, Engineering, Ken McSheehy Engineering, presented the item to Council and discussed the points that Council had asked staff to evaluate.

Discussion and Council comments followed regarding right-of-way requirements, discretionary revenues, higher density residential development, large industrial buildings, Houston Avenue and fee comparison to other cities.

The item required no vote, was for information only. A public hearing will be scheduled for November 3, 2008.

9. **PUBLIC HEARING** - General Plan Amendment No. 2008-04: A request by the City of Visalia to amend the General Plan Land Use Element from PAO (Professional Administrative Office) to BRP (Business Research Park), on 13.7 acres located on the south side of Crowley Avenue, approximately 225 feet east of Plaza Drive APN: 081-020-076. **Resolution 2008-51 required.**

Track 6
BL/DL 4-1
Collins = No
Item # 9
approved

Paul Scheibel, Planner, presented the item to Council. The public hearing was opened at 8:44 p.m. Darlene Mata, representing the property owner, said that they concur with the staff recommendation. Council Member Collins questioned the type of business that will be built. The public hearing was closed at 8:45 p.m.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Alex Peltzer, City Attorney reported that the Council voted 5-0 in closed session to grant an Industrial Disability to Dale Renffle.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Alex Peltzer, City Attorney reported that the following real estate transactions have become final:

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	AKINS Family Trust	5,041 sf portion of APN 085-190-004	120 N. Akers North of Mineral King and South of Mill Creek	Right of Way	9/15/08	Paul Shepard

8:46 p.m.
meeting
adjourned

Upcoming Council Meetings

- Tuesday, October 7, 2008, 4:00 p.m., Joint Meeting City Council/Visalia Unified School District, 5000 W. Cypress, Visalia
- Monday, October 20, 2008, Work Session 4:00 p.m. Regular Session 7:00 p.m. – Council Chambers, 707 W. Acequia, Visalia
- Monday, November 3, 2008, Work Session 4:00 p.m. Regular Session 7:00 p.m. – Council Chambers, 707 W. Acequia, Visalia

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 relating to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the Office of the City Clerk, 425 E. Oak Street, Visalia, CA 93291, during normal business hours.