

Visalia City Council Action Agenda

For the regular meeting of: MONDAY, October 20, 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 - *arrived for the 7 pm session*
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 2

4:30 P.M.

SWEARING IN CEREMONY

Police Chief Bob Carden will swear in new Police Officer Ken Smythe

WORK SESSION AND ACTION ITEMS (as described)

Public Comment on Work Session and Closed Session Items

Track 3
Item #1-info
only

1. Update on City's 2008/09 budget, the impact of the economy on revenues, expenditure reductions since budget adoption and the State's continuing struggles.

Administrative Services Director Eric Frost reviewed the budget in light of the current "uncertain" economy. Frost reviewed measures being taken in order to reduce costs and further review of the budget will occur at the mid-year report in March. No action taken - information only.

Track 4
Item #2-info
only

2. Accept the West Downtown Development Update report.

Cliff Ronk, Development Project Manager, reviewed the West Downtown Development Update describing the West Block and the status of the proposed development of city-owned parking lots; the East Block and status of the planned build-out of Miki City Park, and the status of the existing City Hall West and Public Safety buildings. No action taken - information only.

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 5

ITEMS OF INTEREST

Council Member Shuklian reported on the Police Motorcycle Rodeo that she recently attended.

CLOSED SESSION

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

- 3. Conference with Real Property Negotiators (G.C. §54956.8)
 Property: 1968 S. Lovers Lane
 Lessor: Cal Fire
 Lessee: City of Visalia
 Under Negotiation: Price, terms and conditions of potential lease
 Negotiating Parties: Steve Salomon, Mark Nelson

- 4. Conference with Legal Counsel – Anticipated Litigation
 Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: one potential case

- 5. Conference With Real Property Negotiators (G.C.§54956.8)
 Property: 6832 Avenue 280
 Owner: Visalia Unified School District
 Under Negotiation: Price, terms and conditions of potential purchase or lease
 Negotiating Parties: Steve Salomon, Andrew Benelli, Stan Carrizosa, Randy Groom

Track 6

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Reverend Jim Rouse, Visalia Rescue Mission

SPECIAL PRESENTATIONS/RECOGNITION

- Recognition of Bill Dillberg’s 8 years of service to the Parks & Recreation Commission
- Make a Difference Day

Council Member Amy Shuklian presented the recognition to Bill Dillberg for his years of service on the Parks and Recreation Commission. Council Member Landers commented on Mr. Dillberg’s passion for the program and congratulated him on a tremendous job.

Vince Elizondo, Parks and Recreation Director, reviewed the projects planned for Make a Difference Day on Saturday October 25th. Interested persons can check the cities website for details or call Melissa Tracy at 713-4383.

Track 7

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.

None

6. **INFORMATION ITEMS - No Action Required**

- a) Receive Planning Commission Action Agenda for the meeting of October 13, 2008.

Track 7
GC/AS 5-0
approve
balance of
consent
calendar

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Council Member Collins pulled the following items for further discussion: 7c, 7d, 7h, 7j

Council Member Shuklian pulled item 7i for further discussion

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.

- b) Authorization to read ordinances by title only.

Track 8

- c) Authorization for the City Manager to execute a professional services agreement with Advocation, Inc., (State Lobbyist) in the amount of \$5,000 per month plus expenses for continuing legislative advocacy services through March 31, 2009. Authorize staff to solicit proposals from qualified firms to provide State-level legislative advocacy services.

BL/AS 3-2
Landers-no
Collins-no
Item 7c
approved

Council Member Collins indicated he could not be supportive of items 7c and 7d due to current budget conditions.

AS/BL 3-2
Landers-no
Collins-no
Item 7d
approved

- d) Authorization for the City Manager to execute a Renewed Professional Services Agreement with Jefferson Government Relations (Washington, D.C.) in the amount of \$6,500 per month plus expenses for continued federal legislative advocacy services through March 31, 2009. Authorize staff to request proposals from firms for federal legislative advocacy services

- e) Appointment of Sean Fitzgerald to the Bicycle, Pedestrian and Waterway Trails Committee

- f) Appointment of Jeff Boswell to the Parks and Recreation Commission.

- g) Appointment of Susan Sevier and Virginia Strawser to the Historic Preservation Advisory Committee as regular members and Newell Bringhurst and Steven Cullen as alternate members.

DL/BL 5-0
Item 7h
approved

- h) First reading of Ordinance amending Section 17.56.050 of the Visalia Municipal Code relating to the Historic Preservation Committee. **Ordinance 2008-11 required.**

Council Member Collins requested additional duties be added to the Committee. Deputy City Manager Leslie Caviglia reported that staff will meet with the committee to explain additional duties.

AS/BL 5-0
Item 7i
approved

- i) Award contract for the construction of the Plaza Park softball backstop renovation project for the bid amount of \$216,875 to Nick Champi Enterprises of Hanford in accordance with bid specifications of RFB 07-08-45.

Council Member Shuklian commented that the project is long overdue and indicated her support.

GC/DL 5-0
Item 7j
approved

- j) Authorize the City Manager to amend the Professional Services Contract with Mr. Bill Wagenhalls to include an additional \$60,000 per year for the 2008-10 budget period for construction management services related to the design and construction of City parks.

Council Member Collins asked for confirmation if the costs of this contract come from Park Impact Fees. Parks and Recreation Director Vince Elizondo reported that was correct, 95% of the funds are from the Park Impact fees.

- k) Initiation of a potential joint effort of the City of Tulare, County of Tulare and Tulare County Association of Governments to identify proposed alignment and local station location for future High Speed Rail.

Track 9 (staff presentation)

8. Presentation and discussion of alternate sites for the new Animal Control Facility, and request for City Council direction on the preferred location.

Track 10
(comments and vote)

Principal Planner Paul Scheibel presented information on sites considered by the site selection committee. The committee reviewed 5 sites and recommends site 1 (County Center and Visalia Parkway) be selected for a future Animal Control Facility.

BL/GC 4-1
(Landers no)
Staff explore further possible locations for facility

Council Member Landers disclosed his ownership of a home on S. Linda Vista, City Attorney Alex Peltzer indicated no conflict for Mr. Landers as the address is outside of the 500' from the recommended site.

Council questions were answered by staff, Paul Scheibel, Adam Ennis, Rebecca Keenan, and Mario Cifuentez. Also present to provide clarification and answer questions were Tami Crawford, SPCA Board President and Donna Bailey, Interim Director of the SPCA.

The following persons spoke in opposition to the recommended site: Ralph Aspeland, Oaktree Mobilehome Estates; Kathy Ream, W. Rialto; Jose Mota, W. Rialto; Sandra Little, W. Rialto; Barry Barns; Mark McNally, S. Shirk; Darlene Kuckenbaker; Charles Hern, Oaktree Estates.

The following persons spoke in favor of the recommended site: Tammy Crawford, SPCA Board; Donna Bailey, SPCA Interim Director; Terry Long, SPCA volunteer; Sandy Geer, former SPCA volunteer.

Council expressed their concerns and/or support for the recommended site.

Motion by Landers/ Shuklian to approve the recommended site at County Center and Visalia Parkway failed with a 2-3 vote: Landers/Shuklian - yes; Collins/Link/Gamboa - no.

Motion by Link/Collins passed 4-1 (Landers - no) for staff and the subcommittee to explore further possible locations for the animal control shelter.

At 9:20 p.m. the Council took a 10 minute break. Council Member Landers did not attend the rest of the meeting.

9:30 p.m.

Track 11
BL/GC 4-0
(Landers-
absent)
Item #9
approved as
recommended
with
suggestions
as presented
by the City
Attorney and
Assistant City
Manager

- 9. Initiation of General Plan Amendment and Ordinances necessary for supplemental annexation policies, pre-annexation agreement terms, and a policy pertaining to a lot increase for approved residential subdivisions maps; authorization to request proposals for a nexus study regarding a potential infill mitigation program.

Paul Scheibel, Principal Planner and Brandon Smith, Senior Planner, presented staff recommendations and responded to Council questions.

Mike Lane, Lane Engineers and Randy Hill, Fresno, spoke regarding the recommendations.

Council Member Collins reviewed his viewpoints on infill policy.

Track 12
BL/GC 4-0
(Landers-
absent)
Item #10
approved as
recommended

- 10. Consideration of an amendment to the Transportation Sales Tax Measure Expenditure Plan. **Resolution 2008-54 required.**

Deputy City Manager Leslie Caviglia introduced Ted Smalley from the Tulare County Association of Governments who presented the Transportation Sales Tax Measure Expenditure Plan and responded to Council questions.

Track 13
AS/BL 4-0
(Landers
absent)
Item #11
approved as
recommended

- 11. **PUBLIC HEARING** - Proposed adjustments to selected City Rates and Fees for fiscal years 2008-09 and 09-10. Proposed adjustments may include, but are not limited to the following services; administrative, community development, parks and recreation, public safety, and public works. **Resolution 2008-53 required.**

Administrative Services Director Eric Frost discussed the proposed adjustments to selected city rates and fees for FY 2008-09 and 2009-10.

At 10:40 p.m., the public hearing was opened. There were no comments.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION
REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

City Attorney Alex Peltzer reported the following finalized closed session matters:

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	Copley, Steven & Helen	996 sf portion of APN 097-121-010	502 S. Santa Fe	Right of Way	9/22/08	Andrew Benelli
City of Visalia	Dowling, Shoemaker & Cusenbary	379.12 sf portion of APN 097-054-012	426 S. Bridge St.	Right of Way	10/10/08	Andrew Benelli
City of Visalia	Lennar Homes	Lot B of Oakwest # 7 Portion of APN 085-010-100	1.94 ac. along Mill Creek N/E corner Shirk & 198	Right of Way	10/14/08	Paul Shepard

10:45 p.m.
Meeting
Adjourned

Upcoming Council Meetings

- Monday, November 3, 2008, Work Session 4:00 p.m. Regular Session 7:00 p.m.–Council Chambers, 707 W. Acequia, Visalia
- Monday, November 17, 2008, Work Session 4:00 p.m. Regular Session 7:00 p.m.–Council Chambers, 707 W. Acequia, Visalia
- Monday, December 1, 2008, Work Session & Regular Session 4:00 -6 p.m. Council Chambers, 707 W. Acequia, Visalia

Note: Meeting dates/times may change, check posted agenda for correct details.

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.

Submitted by Donjia Huffmon, Chief Deputy City Clerk