

# Visalia City Council Action Agenda

For the regular meeting of: MONDAY, April 6, 2009

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*

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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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*Track 1*

5:00 p.m.

## **INTRODUCTIONS/RECOGNITIONS**

Fire Chief Nelson - Introduction of newly promoted Fire Department Employees: Jay Manning, Fire Captain; Jason Costa, Fire Engineer; Jerry Hernandez, Fire Engineer

*Track 2*

Police Chief Carden - Recognition of K9 Unit (Mark Lyon & Alex; Clay Moffett & Bosco; Gerrit DeJong & Samson; Ryan Lasalde & Mac; Jason Feierbach & Timber) and their placement in the recent K9 Trials

Council member Shuklian congratulated the unit and gave goodie bags to the K-9s.

*Track 3*

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

**5:15 p.m.**

BL/AS 5-0  
accept report

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

1. Review the draft 2009/2010 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); and review 2<sup>nd</sup> Amendment to the 2006/07 funding and 1<sup>st</sup> Amendment to the 2008/09 Action Plan prior to the Public Hearing before City Council on April 20, 2009, reprogramming CDBG and HOME Funds.

Ricardo Noguera, Director of Housing and Economic Development along with staff members Rhonda Haynes, Ruth Pena, and Nancy Renovato, presented the staff report to Council. Kathleen Mertz, Christian Church Homes, was available to answer Council questions.

*Track 4*  
BL/AS 5-0  
approved as  
submitted

*Convene jointly as the Redevelopment Agency and the Visalia City Council*

2. **RDA ITEM** - Review and approve a loan in the amount of \$23,000 in Central RDA Funds to support the Property & Business Improvement District IV Petition and Ballot for Formation an Expansion of the District for up to ten years.

Ricardo Noguera, Director of Housing and Economic Development presented the item to Council. Kelly Hauert, Downtown Alliance, responded to Council questions.

*Adjourn as the Redevelopment Agency and the Visalia City Council and remain seated as the Visalia City Council.*

*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**

### **CLOSED SESSION**

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

3. Conference with Labor Negotiators (GC 54957.6)  
Agency Designated Representatives: Eric Frost, Steve Salomon, Janice Avila  
Employee Organization: All Employee Groups
4. Conference with Real Property Negotiators (G.C. §54956.8)  
Property: Small wedge pieces on Ben Maddox between Noble and Highway 198  
Under Negotiation: Price, terms and conditions of potential purchase  
Negotiating Parties: Steve Salomon, Michael Olmos, Galante Brothers
5. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: one potential case

Track 5

### **REGULAR SESSION**

**7:00 p.m.**

#### **PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Joshua Bulger, West Coast Believers Center

#### **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 street name and city.

Diane Guzman, representing retirees, spoke about the necessity to file an injunction with the Tulare County Superior Court regarding retiree health benefits.
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Alan Wilkinson, representing the Firefighter's Association, remarked about the successful completion of Station 55 and indicated the association cannot endorse closing of Fire Station #53.

At the request of Mayor Gamboa, Fire Chief Nelson discussed improvements to community safety.

The following persons spoke about FEMA Flood Maps and the required flood insurance for those in the flood zone: Steve Nelson, Babcock St.; Donna Flanders, N. Tracy; Bill Huott, Willis Ave.

*Track 6*

DL/BL 5-0  
Balance of  
Consent  
Calendar  
approved

6. INFORMATION ITEMS - (No action required)
  - a) Receive Planning Commission Action Agenda for the meeting of March 23, 2009.

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

Council member Collins pulled items 7e, 7h, 7i for further discussion. Mayor Gamboa pulled item 7j 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.

- a) Authorization to read ordinances by title only.
- b) Approval of Brown Armstrong CPA firm to complete the City's fiscal year 2008-09 audit.
- c) First reading of Ordinance authorizing the execution of a grant of easement to Southern California Edison for a small area on the northwest corner of the Acequia Parking Structure property. **Ordinance 2009-03 required.**
- d) Authorization to award RFB # 08-09-16, Digester No. 3 Coating Project, to Jeffco Painting & Coating in the amount of \$104,400.
- e) Authorization for the City Manager to negotiate a contract with the Convention and Visitors Bureau (CVB) for 2009-10 at the consistent funding amount of \$239,000, to begin funding the contract May 1, 2009, and to provide office and tourism information space to the CVB.

Council member Collins asked for clarification regarding unanticipated budget difficulties. Leslie Caviglia, Deputy City Manager responded.

- f) Appointment of a representative of the Visalia Community Forum to the General Plan Update Review Committee.
- g) Request authorization to file a Notice of Completion for Parcel Map 4849 (TPM 2006-22) Phase 2, located at the Northeast corner of Demaree Street and Riggan Avenue.

GC/AS 5-0  
Item 7e  
approved as  
submitted

BL/DL 4-1  
Collins = No  
Item 7h  
approved as  
submitted

- h) Authorize the recordation of the final map for Phase 1 of Plaza Business Park (TPM 2008-03) located east and west of Plaza Drive between Hurley and Crowley Avenues (7 lots); authorize the City Manager to execute the Subdivision and Reimbursement Agreements and authorize the amendment of Landscape and Lighting District No. 08-04 for Conditional Use Permit No. 2007-39. APN: 081-020-067, 070. **Resolutions 2009-11 and 2009-12 required.**

Chris Young, Assistant Director Community Development, responded to Council member Collins' questions about purchasing right of way and acquisition improvements.

Table Item 7i  
for 2 weeks  
GC/DL 3/2  
Gamboa &  
Link = No

- i) Authorization to direct the City Attorney to draft the appropriate amendment to Ordinance 2007-13 to suspend any Council salary increases slated to go into effect during the 2009-10 budget year.

Council discussed Councilmember Collins' request to suspend further Council salary increases due to the cities financial downturn. Motion carried to table to the next meeting.

BL/DL 5-0  
Item 7j  
approved as  
amended

- j) Authorization for the Mayor to submit a letter to the California High Speed Rail Authority for High-Speed Train alignment in the Tulare County region and subsequent station near Highway 99.

Michael Olmos, Assistant City Manager, reviewed an amended letter to the High Speed Rail Authority.

- k) Acknowledge acceptance of an FAA Grant Agreement (AIP 24) in the amount of \$85,500 to fund an Update of the Airport Layout Plan and to prepare a Pavement Management Plan for the Visalia Municipal Airport.

- l) Authorization for the City Manager to negotiate final details and sign the Task Agreement with the National Park Service to operate the third season of the internal Sequoia Shuttle service at a reimbursement level that will compensate the City for the cost.

## 8. PUBLIC HEARING:

Track 7

DL/BL 5-0  
Item 8  
approved as  
submitted.

- a) **General Plan Amendment No. 2008-11:** A request by Visalia Unified School District to amend the 129,000 Population Urban Development Boundary to include the project site, and to change the land use designation on the General Plan Land Use Map from Urban Reserve to Public Institutional on 160 acres to be developed in the future as a multi-school complex. Upon annexation, this site will automatically be zoned QP (Quasi Public). **Resolution 2009-09 required.**
- b) **Annexation No. 2007-03 (Akers-Riggin NW):** A request by Visalia Unified School District to annex land and right-of-way totaling approximately 160 acres into the City limits of Visalia. **Resolution 2009-10 required.**
- c) **Detachment of property from County Service Area No. 1.** The site is located on the northwest corner of Akers Street and Riggin Avenue. APN: 077-100-097, 098.

Paul Scheibel, Planning Services Manager, presented the report to Council. The public hearing was opened at 8:15 p.m. Randy Groom, Facilities Manager for Visalia Unified School District discussed the proposed project and responded to Council questions. The public hearing was closed at 8:24 p.m.

8:24 - 8:30  
p.m. break

## 9. PUBLIC HEARING - Mid Year Financial Report

Track 8

Eric Frost, Administrative Services Director, presented the financial report including new recommendations for cost savings since the March 16<sup>th</sup> meeting.

The public hearing was opened at 9:35 p.m. Carl Krauss, E. Houston, discussed upholding Measure T monies for public safety. Jim Claybough, Visalia Economic Development Corporation, discussed the proposed reduction to the VEDC contract. The public hearing was closed at 9:45 p.m.

The following actions were taken upon management's recommendations:

#1 approved  
AS/DL 5-0

Management Recommendation #1: Retain frozen all frozen 08/09 projects and freeze the Miki City Park project, an additional \$274,500.

#2 approved  
DL/GC  
5-0

Management Recommendation #2: Direct staff to work on management recommended budget saving options in the General Fund as outlined in Table IV. Items marked with an asterisk (\*) would require no further action. Non-asterisk items will need to be brought back to Council to finalize before the beginning of next fiscal year.

#3 approved  
GC/BL 3/2  
Shuklian &  
Landers = No

Management Recommendation #3: Set-aside \$600,000 in FY 2009/2010 towards the expected increase in PERS costs for FY 2010/11.

#4 approved  
DL/GC 5-0

Management Recommendation #4:

- a) Direct staff to bring back a tax-exempt project for the Central project area to maximize the debt capacity of Central RDA.
- b) Authorize staff to pay the ERAF payment in the amount of \$446,867 to the County by April 15, 2009.

#5 not  
approved -  
AS/GC 5-0  
delay 4 traffic  
signals until  
2010/11

Management Recommendation #5: Authorize up to \$1 million cash advance from the General Fund to the Transportation Impact Fee Fund to assure the timely completion of currently authorized Transportation Impact Fee projects.

#6 approved  
AS/DL 3/2  
Gamboa &  
Collins = No

Management Recommendation #6: Direct staff to return to Council with various fare box alternatives now that State Transit Assistance monies will be taken by the State of California.

#7 approved  
DL/AS 4-1  
Gamboa = No

Management Recommendation #7: Direct Staff to recommend Solid Waste rates and fees which:

- 1) Accumulate sufficient working capital and other capital monies for ongoing operations; and,
- 2) Revise commercial recycling rates to encourage more commercial recycling.

#8 approved  
DL/BL 4-1  
Gamboa - No

Management Recommendation #8: Bring back to Council a rate proposal designed to support the low end of the projected treatment plant NPDES project, implemented over three years.

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

Adjourn  
10:01 p.m.

Alex Peltzer City Attorney, reported the following closed session actions:						
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<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	Sequoia Plaza Shopping	1,616.97 sf (0.037 ac) APN 121-090-041	2131 W. Whitendale	Mooney Widening Project Cal Trans Agrmt 06-1361	3/24/09	Andrew Benelli

**Upcoming Council Meetings**

- Monday, April 20, 2009, Work Session 4:00 p.m.; Regular Meeting 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, April 27, 2009, 4:00 p.m., Joint Meeting with the Planning Commission, Convention Center, 303 E. Acequia.
- Monday, May 4, 2009, Work Session 4:00 p.m.; Regular Meeting 7:00 p.m., Council Chambers 707 W. Acequia

*Note: Meeting dates/times are subject to 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