

# Visalia City Council Agenda

For the regular meeting of: MONDAY, May 18, 2009

Location: **City Hall Council Chambers, 707 W. Acequia, Visalia CA 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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## **WORK SESSION AND ACTION ITEMS (as described)**

**4:00 p.m.**

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

- 4:00 p.m. 1. Discussion of progress and options for Agricultural Mitigation Program Study
- 4:20 p.m. 2. Alternative design concepts for the Oval Park study area
- 4:45 p.m. 3. Presentation and approval of a change in name from Visalia City Coach to Visalia Transit including a new logo.
4. *Item removed at 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.*

## **ITEMS OF INTEREST**

### **CLOSED SESSION**

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

5. Conference with Real Property Negotiators (GC 54956.8)  
Property: located on Visalia Parkway between County Center Drive and Woodland Avenue (immediately southeast of the South Police Precinct)  
Under Negotiation: Authority to negotiate terms of sale/disposition  
Negotiators: Steve Salomon, Ricardo Noguera

6. Conference with Real Property Negotiators (GC 54956.8)  
Property: Located on the East side of McAuliff Street and Mill Creek Parkway (portion of APN 103-320-11)  
Under Negotiation: Terms and conditions of potential sale  
Negotiators for City: Steve Salomon, Michael Olmos, Cliff Ronk  
Negotiators for Buyer: Phil Mirwald and Mike Markarian with California Water Service Co.
7. Conference with Labor Negotiators (GC 54957.6)  
Agency Designated Representatives: Eric Frost, Steve Salomon, Janice Avila  
Employee Organization: All Employee Groups
8. Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9)  
City of Visalia Retirees v. City of Visalia TCSC #09-232173
9. Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: two potential cases

## **REGULAR SESSION**

**7:00 p.m.**

## **PLEDGE OF ALLEGIANCE**

**INVOCATION** - Pastor Ken Squires, Visalia 1<sup>st</sup> Assembly of God Church

## **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.

10. INFORMATION ITEMS - (No action required)
  - a) Receive Planning Commission Action Agenda for the meeting of May 11, 2009.

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

## **11. RDA CONSENT CALENDAR -**

- a) Amendment to the use of \$500,000 Redevelopment low/mod funds to acquire, renovate and sell foreclosed homes. **RDA Resolution 2009-03 required.**

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

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

12. 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) Approve the Citizens Advisory Committee's recommendation to change the name of the Bicycle, Pedestrian and Waterway Trails Committee to the Waterways and Trails Committee.
  - c) Accept the City of Visalia Cash and Investment Report for the quarter ending March 31, 2009.
  - d) Adopt resolution establishing an identity theft prevention program in compliance with the Fair and Accurate Credit Transaction (FACT) Act. **Resolution 2009-19 required.**
  - e) Authorization to bid the construction of the McAuliff Street Improvement Project, Phase 3, Crossing Over Evans Ditch and Mill Creek, without the requirement for the payment of prevailing wages, pursuant to Resolution No. 83-02. Project No. 1241-00000-720000-0-9945.
  - f) Authorization to bid the Creekside Basin Recharge/Storm Drain Improvement project without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 3011-00000-720000-0-9557.
  - g) Authorize the City Manager to execute a contract, subject to review and approval as to form by the City Attorney, with Parsons Water and Infrastructure for Design and Environmental Services for the City of Visalia Water Conservation Plant upgrades, for an amount not to exceed \$7,161,495, as negotiated under Council's authority.
  - h) Authorization to conduct a consolidated dispatch study, funded jointly from jurisdictions in Tulare County with the City acting as lead agency.
13. Update on the implementation of the recommendations approved by Council regarding FEMA's revised Flood Insurance Study and Flood Insurance Rate Maps.
14. Mid-cycle Budget Adjustments
- General Budget Discussion and appropriate actions
  - Impacts of State budget and potential "borrowing" of city's tax and property tax monies. **Resolution 2009-20 required**
  - Amendments to 2008-2010 2-year General Fund Capital Budget
  - Parks and Recreation Commission recommendations related to fee increases
  - Phase out of Hazardous Materials Response Unit

## REPORT ON ACTIONS TAKEN IN CLOSED SESSION

## REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

### **Upcoming Council Meetings**

- Monday, June 1, 2009, 4:00 p.m. Work Session; Regular Meeting 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, June 15, 2009, 4:00 p.m. Work Session; Regular Meeting 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, July 13, 2009, 4:00 p.m. Work Session; Special 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.*