

Visalia City Council Action Agenda

For the regular meeting of: MONDAY, June 1, 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*

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.

WORK SESSION AND ACTION ITEMS (as described)

Track 1 & 2

4:00 p.m.

PUBLIC COMMENT ON WORK SESSION AND CLOSED SESSION ITEMS

Item 1
Update Only
No Action
Taken

1. Quarterly update on comprehensive Code Enforcement efforts in the Oval Park and Washington School neighborhoods.
Receive public comment

Redevelopment Director Ricardo Noguera updated the Council with a progress report in the Lincoln Oval Park and Washington School area. Council reminded staff to look at all areas to improve. Council commended staff for all their team efforts.

Public comment was opened: Bill Houtt thanked City staff and Council.

Track 2

Item 2
AS/DL
3-2 Approved
as amended
Gamboa - No
Collins - No

2. Request by MSJ Partners to amend wording in the Pre-Annexation Agreement pertaining to the Vargas annexation, located at the north east corner of Plaza Drive and Riggan Avenue.
Receive public comment

3/2 - 3/2 Fred Brusuelas discussed the request to amend the wording in the agreement and answered Council questions. Assistant City Manager Mike Olmos responded to Council request to break down of the cost factors. Council separated the recommendation and asked that the cost factor be voted on separately.

Public comment: Pat Daniels, MSJ Partner request that the property be subdivided to make it more inline with what he believes the public wants. Bob Keenan, Home Builders Association, supports the amendment request.

Review the
cost of the
building
BL/DL
3-2 Approved
Gamboa - No
Collins - No

Track 3
GC/AS
5-0 Approved

3. Authorize the City Manager to release a Request for Proposal (RFP) for the preparation of a General Plan Update and Program Environmental Impact Report.

Receive public comment

Principle Planner Paul Scheibel reported on proposal for the General Plan Update and answered Council's questions. Council asked for a breakdown of cost when the RFP is prepared and to evaluate before it is final.

Public Comment: None

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

Councilmember Shuklian commended Chief Carden in his participation in the Battle of the Badges. Councilmember Link reported on the third grade mock Council meeting at Pinkham School and read what they had written if they were in charge of this town. Councilmember Landers commended Brian Kempf (Urban Tree Foundation) for his participation in the Mill Creek Parkway upkeep and report several damaged trees.

CLOSED SESSION

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

4. Conference with Labor Negotiators (GC 54957.6)
Agency Designated Representatives: Eric Frost, Steve Salomon, Janice Avila
Employee Organization: All Employee Groups
5. Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: two potential cases
6. Conference with Real Property Negotiators (GC 54956.8)
Property: 16 acres on the south side of Hillsdale Avenue at Tommy Street, east of Akers St.
APN: 085-010-096
Negotiators for City: Steve Salomon, Mike Olmos, Cliff Ronk
Negotiators for Lessee: Sam Sciacca
Under Negotiation: Terms and conditions of potential lease agreement

Track 4

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE - Councilman Landers

INVOCATION - Pastor Albert Padilla, Visalia 1st Assembly of God Moment of Silence.

SPECIAL PRESENTATIONS/RECOGNITION - Recognition of Citizens in the Know graduates

Community Relations Manager Nancy Loliva introduced Luke Feldstein and Michael Sbei who participated in the program. Both members thanked staff for this program.

Track 5
Citizens
Request

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.

Mobile Home Task Force President Jim Burr and mobile home residents are still concerned about retaining and maintaining affordability of manufactured homes in Visalia. Also, thanked City staff for the work on the "mobile home rent control." Ricardo Noguera responded to Mr. Burrs concerns.
Concerned Citizen for Open Government member Charles Uhmschneider request information how to be placed on the Council's agenda and will be commenting about the item 9g regarding City Charter (Deputy City Manager Leslie Caviglia met with Mr. Uhmscheider to answer his questions).
Public Safety Furlough opposing comments were by: Darrin Hughes, Eddie Alonzo, Christie Pedrift, Allen Wilkenson, Carlene Tresh, Mark Feller, and Mike Stow.

Mayor Gamboa reads his statement regarding furloughs and lay-offs.

Track 6

No Action
Required -
Information
Only

- 7. INFORMATION ITEMS - (No action required)
 - a) Receive Planning Commission Action Agenda for the meeting of May 26, 2009.

Track 7

- 8. **PUBLIC HEARING** - Proposed funding changes, amendment, and assessment increases of balloted Landscape and Lighting Maintenance Assessment Districts. *(Upon completion of the public hearing, staff will open and tabulate the ballots. The results will be reported at the end of the meeting).*

Item 8 &
Item 12
Action was
taken at the
end of the
meeting -
Track 11
tem 12

Financial Analyst Jason Montgomery, funding changes on the Landscape and Lighting Maintenance because of cash deficits.
Public Hearing opened: Pamela Lopez handed out a excel spreadsheet and explained it to the Council regarding the Stonebridge area. Katherin Singh gave Council a letter regarding Stonebridge district area. Michael Woodbury opposes the increased assessment in the Stonebridge district. Council voiced their concerns regarding the process. Ballots will be tabulated and reported at the end of the meeting. Closed the Public Hearing.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Gamboa pulled 9g, 9i (revisions) - Collins pulled 9d, 9f - Shuklian also requested 9d for discussion.

Track 8

DL/AS
5-0
Approve
Balance of
consent
calendar

- 9. 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 resolution adopting the 2009-10 appropriations limit for the City of Visalia's General Fund. **Resolution 2009-22 required.**

c) Appoint Ben Arellano and Craig Hartman as voting members, and Ken Lavinder as an alternate to the Visalia Environmental Committee as recommended by the Citizens Advisory Committee and the Visalia Environmental Committee.

d) Update on the implementation of the recommendations approved by Council regarding FEMA's revised Flood Insurance Study and Flood Insurance Rate Maps (FIRMs).

Item 9d
BL/GC
5-0 Approved

Councilmember Collins requested information regarding the process of a surveyor to review their neighborhoods. Chris Young responded to Council's questions.

e) Authorize the donation of a used light truck to the Visalia Downtown Association.

Item 9f
BL/DL
5-0 Approved

f) Authorization for City Manager to execute the third amendment to the Joint Powers Agreement for the Lake Kaweah Enlargement Project.

Councilmember Collins requested clarification from City Attorney Alex Peltzer.

g) Authorize the City Attorney to provide an opinion regarding the current considerations concerning the school district's trustee elections and trustee boundaries as it relates to the City Charter.

Item 9g
DL/AS
5-0 Approved

Concerned Citizen for Open Government member Charles Uhmschneider handed out the election codes to Council and has concerns regarding the procedures. City Attorney Alex Peltzer answered his concerns and will be taking it to closed session.

h) Authorization for the City of Visalia to provide a letter of support for the proposal being submitted by the Visalia Tour of California Committee to host a stage of the 2010 Amgen Tour of California.

Item 9i
DL/BL
5-0
Approved

i) Authorization to negotiate a contract with Cherokee Investment Services to provide federal grant services on behalf of the City of Visalia in an amount not to exceed \$50,000.

Item was pulled to hear the revisions that were made to the staff report. Redevelopment Director Ricardo Noguera explained to Council the revisions and answered questions from Council.

Track 9
Item 10
DL/AS 5-0
Approved as
amended

10. **PUBLIC HEARING-** To place Miscellaneous Special Assessments on the Tulare County secured property tax roll for Sewer Connection, Business Incentive Zone, Curb and Gutter, Landscape and Lighting, Northeast Improvement District, Sewer, Weed & Lot Clearing, Code Enforcement, Los Rios/Casa Blanca and Property & Business Improvement District (downtown). **Resolution 2009-21 required**

Financial Analyst Jason Montgomery reported on the assessment requests. Public comments: Louis Conde, Juanita Aguilar, Robin Vanes, and Rafael Jimenez opposes and questions fees charged to them. Appropriate staff met with each person regarding their issues and will be brought before Council at the next meeting. Public Hearing Closed.

Track 10
Item 11
GC/AS
5-0
Approved

11. **PUBLIC HEARING** - of the proposed Substantial Amendment (3rd) to the 2008/09 Annual Action Plan for the use of Community Development Block Grant Recovery (CDBG-R) funds in the amount of \$322,067, appropriated by the American Recovery and Reinvestment Act (Recovery Act) distributed through U.S. Department of Housing and Urban Development

(HUD).

Housing Specialist Rhonda Haynes presented the report and responded to Council's questions. Park and Recreation Director Vince Elizondo's PowerPoint was shown and explained to Council. Public Hearing Opened; Michael Sbei concerned about the type of fence that may be used and had suggestions for security issues. Charles Uhmschneider appreciates the details of the program and thanks staff. Public Hearing Closed.

Track 11
Item 12

12. Report results of balloted Landscape and Lighting Maintenance Assessment Districts.

DL/GC
5 -0
Approved as
amended

Certify 89-09
91 -10

Return to
Council to
certify 88-04
at a later date

Deputy City Manager Leslie Caviglia report on ballots:

Stonebridge 50 ballots mailed 26 received 15 yes - 11 no; measure passes
Country Akers 12 ballots mailed 4 received- 2 yes -2 no; measure fails
Copper Creek 257 ballots mailed 100 received 65 yes - 34 no 1 incomplete; measure passes
St. Charles Place 14 ballots mailed 4 received 0 yes - 4 no; measure fails
Fox Glenn 55 ballots mailed 19 received 14 yes - 5 no; measure passes

Financial Analyst Jason Montgomery answered questions posed by Council. Stonebridge district will be reviewed and brought back before Council at a later date to certify.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Track 12
Information
Only

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	TRAPP, T. Stanley & Carol	351 sf portion of APN 103-320-009	McAuliff btw Mill Creek Pkwy & Houston	As part of Mill Creek Parkway to Houston	5/7/09	Chris Young

Upcoming Council Meetings

- 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
- Monday, August 3, 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.

Adjourned

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 Susie Alter, Executive Assistant