

# Visalia City Council Agenda

For the regular meeting of: MONDAY, June 15, 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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4:00 p.m.

## **SWEARING-IN CEREMONY**

Police Chief Bob Carden will administer the Oath of Office for Sean Schiebellhut, Reserve Officer

## **CLOSED SESSION**

**4:05 p.m.**

1. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of GC 54956.9)  
Young, et al. v. City of Visalia et al. TCSC #08-228056
2. Conference with Labor Negotiators (GC 54957.6)  
Agency Designated Representatives: Eric Frost, Steve Salomon, Janice Avila  
Employee Organization: All Employee Groups

4:45 p.m.

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

**4:45 p.m.**

### **3. HEARING – Fiscal Year 2009-10 Budget Year**

#### **Budget Actions:**

- a) Authorize the use of up to \$5.5 m in General Fund reserve to balance the 2009-10 fiscal year budget
- b) Authorize an early retirement program for employees in the General Fund and the Convention Center Enterprise.
- c) Approve the citywide layoff policy and authorize the City Manager to make minor adjustment as needed based on discussions with bargaining groups
- d) Amend and approve the 2009/10 fiscal year budget as outlined in the staff report

#### **Measure T actions:**

- e) Annual Recertification of the Measure T Plan
- f) Approve resolution declaring a General Fund fiscal emergency and suspending Measure T Maintenance of Effort provisions for 2009/10 and 2010/11 fiscal years.

**Resolution 2009-26 required. (Requires 4/5 vote)**

*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

### REGULAR SESSION

7:00 p.m.

### PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Mark Taylor, New Beginnings Community Church

### SPECIAL PRESENTATIONS/RECOGNITION

Presentation of Resolution of Commendation to the Visalia Times-Delta commemorating 150 years of publishing a newspaper in the City of Visalia

**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.

4. INFORMATION ITEMS - (No action required)
  - a) Receive Planning Commission Action Agenda for the meeting of June 8, 2009.

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

5. 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) Nominate Mayor Jesus Gamboa for the vacancy representing a “large” city from Tulare County to the San Joaquin Valley Air Pollution Control District Governing Board.  
**Resolution 2009-23 required.**
  - c) Authorize the City Manager to sign and approve the final amendment to the agreement on booking fees between the City of Visalia and Tulare County.
  - d) City Council support for Assembly Bill 210 (Hayashi) Green Building Standards; AB 715 (Caballero) City ordinances publishing and posting requirements; AB 726 (Arambula and Nielsen) Transportation capital improvement projects; AB 1284 (Huffman) Substance abuse - adult recovery maintenance facilities; SCA 18 (Liu) Local Government property related fees; Senate Bill 268 (Harman) Alcoholism or drug abuse recovery or treatment facilities - licensing; SB 415 (Oropeza) Alcoholic beverages - licenses local government review; and opposition to SB 802 (Leno) Public Contracts - retention proceeds.

- e) Authorize the City Manager to sign the Project Improvements Agreement and Reimbursement Agreement for master plan storm drain facilities associated with River Run Ranch Phase 5.
- f) Update on the Animal Control Facility project and request to postpone release of the Request for Qualifications (RFQ) for design services for six months.
- g) Request to expand the current project scope for the Village Park – Wittman Center Renovation Project (3011-0-72-0-9865) by an additional amount of \$57,500 using State Park Bond Act monies and CDBG funds.
- h) Authorization for the City Manager to sign an MOU to Purchase County Delinquent Property Tax Receivables (Teeter Buy-out) up to \$10 million for Fiscal Year 2008/09 if the agreement is limited to Visalia’s participation being independent of the actions of other parties.
- i) Authorization for staff to apply for \$1.14 million in Energy Efficiency & conservation Block Grant stimulus funding for building retrofits, LED light conversion, solar lighting, an agenda management system and Sequoia Shuttle funding.
- j) Authorization to implement bus route modifications to change two routes from one-way loops to bi-directional routes beginning in August 2009 as recommended by the Transit Advisory Committee.
- k) Authorization for the City of Visalia to apply jointly with the County of Tulare for Federal funding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program through the Bureau of Justice Assistance (BJA) and execution of a Memorandum of Understanding (MOU) regarding the grant.
- l) Appointment of Mayor Jesus Gamboa and Vice-Mayor Bob Link to serve on a newly formed Tulare County High Speed Rail Committee sponsored by the Tulare County Association of Governments.
- m) Update on the balloted Stonebridge Landscape and Lighting Maintenance Assessment District #88-04. *Request continuance to 7/13/09*

***Authorize the filing of a Notice of Completion for the following five projects:***

- n) Valley Palms, a subdivision containing 36 single family lots, located on the south side of Riffin Avenue between Linwood Street and Demaree Street.
- o) Visalia Fire Station #55 and Training Facility located at 6921 W. Ferguson. Project No. 3011-0-72-0-9565
- p) Akers Street and Cypress Avenue Intersection Improvement Project, Project No. 1614-00000-720000-0-9944 (Final Cost \$180,949.12); and reallocate any remaining Proposition B funds to the Houston Avenue Improvement Project (Santa Fe to Ben Maddox), Project No. 3011-00000-720000-0-9026.
- q) New Soroptimist Park, Project No. 1211-00000-720000-0-9598, located at Linwood and Prospect in northwest Visalia, at a final cost of \$645,139.10.

r) Renovation of the Plaza Park softball backstops, foul line fencing, and dugouts, Project No. 3011-00000-720000-0-9191, for the construction of on-site improvements at a final cost of \$225,875.00.

6. **Continued Public Hearing from 6/1/09** Authorization to allow the City of Visalia to place one contested Fire Department case on the Miscellaneous Special Assessments of the Tulare County secured property tax roll. **Resolution 2009-24 required.**
7. **PUBLIC HEARING** Rates and Fees - Authorization to:
  - a) Amend the City's Rates and Fees for a multi-year rate increase program for Sanitation (Wastewater) and for Solid Waste effective for the four years and three years, respectively, beginning July 1, 2009
  - b) Amend the Transit Fare schedule
  - c) Amend the City's Rates and Fees for fiscal year 2009-10, with proposed new fees and adjusted fees that may include, but are not limited to the following services; administrative, housing and economic development, parks and recreation, public safety, and public works
  - d) Implement 50% of the ordinance authorized Impact Fee increase or 3.25%, on April 1, 2010 as a measure to support the building industry. The remaining 50% (3.25%) will be considered with next year's review of the City's Rates & Fees.  
**Resolution 2009-25 required.**

## **REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

## **REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS**

### **Upcoming Council Meetings**

- Monday, July 13, 2009, 4:00 p.m. Work Session; Special Meeting 7:00 p.m., Convention Center, 303 E. Acequia
- Monday, August 3, 2009, 4:00 p.m. Work Session; Regular Meeting 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, August 17, 2009, 4:00 p.m. Work Session; 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.*