

Visalia City Council Agenda

For the regular meeting of: MONDAY, August 17, 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

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)

4:30 p.m.

Public Comment on Work Session and Closed Session Items -

1. Review Sierra Village project updates and changes – consider authorization for project proponents to move forward to prepare and process environmental documents and applications for general plan amendments and annexation applications.
Receive public comment
2. Update regarding East Tulare County Short Line Railroad – consider City’s position
Continued discussion from August 3, 2009
Receive public comment
3. 2009 Public Opinion Survey Results presented by the Citizens Advisory Committee.
Receive public comment

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)

4. Conference with Legal Counsel – Anticipated Litigation (2)
Initiation of litigation pursuant to subdivision (c) of Section 54956.9) – two potential cases

5. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of GC Section 54956.9)
Name of case: City of Visalia vs. Maksy (TCSC 08-229559)

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Robert Benefield, Sequoia Baptist Church

SPECIAL PRESENTATIONS/RECOGNITION – Proclamation declaring September 2009 Energy Efficiency Month

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.

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

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR 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) Authorization to place a lien for \$14,752.60 on real property located at 2714 S. Encina. **Resolution 2009-32 required.**
 - c) Introduction of **Ordinance 2009-05** amending Municipal Code 10-32 transferring enforcement authority for private property vehicle abatement from Visalia Fire Department to Housing and Economic Development Department.
 - d) Authorize the City Manager to execute a Consent Agreement (CON07199193) between Southern California Edison Company and the City of Visalia for the installation of storm drain pipeline facilities within the existing SCE easement located along the St. Johns Parkway extension, approximately one half mile east of McAuliff Street.

- e) Authorize the City Manager to execute a Joint Use Agreement (REL06141596) between Southern California Edison Company and the City of Visalia for the relocation of SCE facilities on the north side of Riggan Avenue from 430' east of Mooney Blvd to 1,000' west of Mooney Blvd.
- f) Authorize the City Manager to execute a Joint Use Agreement (REL06148574) between Southern California Edison Company and the City of Visalia for the relocation of facilities on the east side of McAuliff Street, south of Walnut Avenue.
- g) Authorization to consider the requests from the Hispanic Roundtable and the Downtown Visalians to have a representative on the recently appointed Public Art Policy Task Force which will develop City policies for locating and approving public art.
- h) Adoption of **Resolution 2009-33** supporting the University of California, Merced's efforts to address the physician shortage in the San Joaquin Valley by establishing a medical school. **Resolution 2009-33 required.**
- i) Authorize the City Manager to execute an amendment to the Professional Service Agreement with Community Services and Employment Training (CSET) to provide labor for various City grant funded projects where CSET is a partner in the grant application.
- j) Authorization to award the contract for the Rehabilitation of Taxiway Edge Lighting and Signage at the Visalia Municipal Airport to RB Development in the amount of \$393,990. Project numbers 4011-720000-0-0-8187, corresponding to FAA AIP Project number 3-06-0271-25.
- k) Authorization to purchase by direct sale from Caltrans property consisting of approximately 2759 square feet of area located West of Ben Maddox adjacent to the south side of State Route 198 adjacent to Noble Avenue through "Offer to Purchase Agreement;" Adoption of Resolution of Public Purpose re Same. **Resolution No. 2009-34**

Authorization to file Notice of Completion for the following projects:

- l) Luisi Acres Storm Drain Tie-in Project, (Final Cost \$ 188,300); and authorize the City Manager to execute Ferguson Avenue Project Reimbursement Agreement for the storm drain master planned facilities and the related right-of-way acquisition.
 - m) Public improvements only for Sequoia Crossing, containing 86 single family private street access lots, located 660 feet south of Caldwell Avenue on the East side of Akers Street.
8. **PUBLIC HEARING:** Appeal of the Planning Commission's approval of Conditional Use Permit (CUP) No. 2008-46 for the Grace Community Church campus at the southwest corner of Cherry Avenue and Lovers Lane (APN:126:110-061 by Jay and Cindy Moccio and residents of the Country Meadows Community Subdivision. **Resolution No. 2009 -35.**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

- Tuesday, September 8, 2009, 4:00 p.m. Work Session; Special Meeting 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, September 21, 2009, 4:00 p.m. Work Session; Regular Meeting 7:00 p.m., Council Chambers 707 W. Acequia

- Tuesday, September 29, 2009; 4:00 p.m. Joint Meeting Visalia City Council and Visalia Planning Commission, Convention Center, 303 E. 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.