

# Visalia City Council Agenda

For the regular meeting of: MONDAY, September 21, 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)**

**4:30 p.m.**

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

- 4:30 p.m. 1. Update regarding Hazardous Material Response Program
- 4:45 p.m. 2. Update regarding the H1N1 Flu Virus and our preparedness efforts.
- 5:00 p.m. 3. Update on the Lover's Lane Interchange project and request for authorization for the City Manager to execute an agreement with Mark Thomas & Company, Inc. to perform the additional work requested by Cal Trans for conducting traffic analysis including the future Road 148/SR 198 Interchange at the estimated cost of \$47,339 using Measure R funds.

*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. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: three potential cases
5. Conference With Real Property Negotiators (G.C. §54956.8)  
Property: APN: 095-134-024 & 030 (1933 S. Mooney Blvd.)  
Under Negotiation: Consideration and approval of appraisal; Authority to negotiate price, terms and conditions of potential purchase  
Negotiating Parties: Steve Salomon, Chris Young, Adam Ennis, Colleen Carlson, John Barbis and Glenn Stanton

## REGULAR SESSION

7:00 p.m.

### PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Jason Backland, Visalia Community Covenant Church

### INTRODUCTION OF NEW EMPLOYEE

Introduction of Kim Loeb Natural Resource Conservation Manager, by Leslie Caviglia Deputy City Manager

**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 September 14, 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) Accept the City of Visalia Cash and Investment Report for the fourth quarter ending June 30, 2009.
- c) Authorization to file a Notice of Completion for Recreation Park Stadium Improvements.
- d) Appointment of a representative of the Mooney Boulevard Merchant's Organization to the General Plan Update Review Committee.
- e) Authorize the City of Visalia's involvement in the San Joaquin Valley Air Pollution Control District's "Healthy Air Living Business" program. **Resolution 2009-41 required.**

#### 8. PUBLIC HEARING - Final 2008/09 Program Year Consolidated Annual Performance and Evaluation Report (CAPER) (CDBG & HOME funds); and 4<sup>th</sup> Amendment to the 2008-09 and 3<sup>rd</sup> Amendment to the 2007-08 Action Plans reprogramming CDBG funds. **Resolution 2009-42 required.**

9. Update regarding progress toward the implementation of the recommendations approved by Council regarding FEMA's revised Flood Insurance Rate Maps (FIRMs); authorization to work with Akerman Senterfitt toward extension of FEMA's Preferred Risk Program; authorize the Mayor to sign a letter asking FEMA to approve the City of Visalia's participation in the Community Rating System.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

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

<b>Buyer</b>	<b>Seller</b>	<b>APN Number</b>	<b>Address</b>	<b>Purpose</b>	<b>Closing Date</b>	<b>Project Manager</b>	<b>Purchase Price</b>
City of Visalia	Flyers, LLC, A California Limited Liability Co.: Stephen B. Dwelle, Authorized Officer	Portion of 096-291-023	1920 S. Mooney Blvd, Visalia CA	Grant of Easement for pedestrian purposes in association with Walnut/ Mooney intersection improvements	8/4/09	Manuel Molina	-0-
City of Visalia	Flyers, LLC, A California Limited Liability Co. Stephen B. Dwelle, Authorized Officer	Portion of 096-291-024	1942 W. Walnut Avenue, Visalia CA	Grant of Easement for pedestrian purposes in association with Walnut/ Mooney intersection improvements	8/4/09	Manuel Molina	-0-
City of Visalia	Flyers, LLC, A California Limited Liability Co.: Stephen B. Dwelle, Authorized Officer	Portion of 096-291-023	1920 S. Mooney Blvd, Visalia CA	Grant of Easement – Overhang Facilities Only	8/4/09	Manuel Molina	-0-
City of Visalia	Flyers, LLC, A California Limited Liability Co. Stephen B. Dwelle, Authorized Officer	Portion of 096-291-024	1942 W. Walnut Avenue, Visalia CA	Grant of Easement – Overhang Facilities Only	8/4/09	Manuel Molina	-0-

### **Upcoming Council Meetings**

- Tuesday, September 29, 2009; 4:00 p.m. Joint Meeting Visalia City Council and Visalia Planning Commission, Convention Center, 303 E. Acequia.
- Monday, October 5, 2009, 4:00 p.m. Work Session; Regular Meeting 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, October 19, 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.*